

House File 215 - Reprinted

HOUSE FILE 215
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 4)

(As Amended and Passed by the House February 19, 2013)

A BILL FOR

1 An Act relating to and providing for education reform involving
2 student, teacher, and administrator programs and activities
3 under the purview of the department of education, the state
4 board of education, the college student aid commission,
5 school districts, and accredited nonpublic schools;
6 providing for independent private instruction for students;
7 providing for private instruction for students; concerning
8 driver education by a teaching parent; making appropriations
9 and providing for the establishment and retention of
10 certain fees; and including transition and effective date
11 provisions.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

STATE SCHOOL FOUNDATION PROGRAM

Section 1. Section 257.2, subsection 9, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. *d.* Property tax replacement payments received under section 257.16B.

Sec. 2. Section 257.4, subsection 1, paragraph a, Code 2013, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (9) The amount of the school district property tax replacement payment received by the school district under section 257.16B.

Sec. 3. Section 257.4, subsection 1, paragraph b, Code 2013, is amended to read as follows:

b. For the budget year beginning July 1, 2008, and succeeding budget years, the department of management shall annually determine an adjusted additional property tax levy and a statewide maximum adjusted additional property tax levy rate, not to exceed the statewide average additional property tax levy rate, calculated by dividing the total adjusted additional property tax levy dollars statewide by the statewide total net taxable valuation. For purposes of this paragraph, the adjusted additional property tax levy shall be that portion of the additional property tax levy corresponding to the state cost per pupil multiplied by a school district's weighted enrollment, ~~and~~ then multiplied by one hundred percent less the regular program foundation base per pupil percentage pursuant to section 257.1, and then reduced by the amount of property tax replacement received under section 257.16B. The district shall receive adjusted additional property tax levy aid in an amount equal to the difference between the adjusted additional property tax levy rate and the statewide maximum adjusted additional property tax levy rate, as applied per thousand dollars of assessed valuation on all taxable property in the district. ~~The statewide maximum adjusted additional property tax levy rate shall be annually determined by the~~

1 ~~department taking into account amounts allocated pursuant to~~
2 ~~section 257.15, subsection 4.~~ The statewide maximum adjusted
3 additional property tax levy rate shall be annually determined
4 by the department taking into account amounts allocated
5 pursuant to section 257.15, subsection 4, and the balance of
6 the property tax equity and relief fund created in section
7 257.16A at the end of the calendar year.

8 Sec. 4. Section 257.8, subsections 1 and 2, Code 2013, are
9 amended to read as follows:

10 1. *State percent of growth.* ~~The state percent of growth~~
11 ~~for the budget year beginning July 1, 2010, is two percent.~~
12 The state percent of growth for the budget year beginning July
13 1, 2012, is two percent. The state percent of growth for
14 the budget year beginning July 1, 2013, is two percent. The
15 state percent of growth for the budget year beginning July 1,
16 2014, is two percent. The state percent of growth for each
17 subsequent budget year shall be established by statute which
18 shall be enacted within thirty days of the submission in the
19 year preceding the base year of the governor's budget under
20 section 8.21. The establishment of the state percent of growth
21 for a budget year shall be the only subject matter of the bill
22 which enacts the state percent of growth for a budget year.

23 2. *Categorical state percent of growth.* ~~The categorical~~
24 ~~state percent of growth for the budget year beginning July 1,~~
25 ~~2010, is two percent.~~ The categorical state percent of growth
26 for the budget year beginning July 1, 2012, is two percent.
27 The categorical state percent of growth for the budget year
28 beginning July 1, 2013, is two percent. The categorical state
29 percent of growth for the budget year beginning July 1, 2014,
30 is two percent. The categorical state percent of growth for
31 each budget year shall be established by statute which shall
32 be enacted within thirty days of the submission in the year
33 preceding the base year of the governor's budget under section
34 8.21. The establishment of the categorical state percent of
35 growth for a budget year shall be the only subject matter of

1 the bill which enacts the categorical state percent of growth
2 for a budget year. The categorical state percent of growth
3 may include state percents of growth for the teacher salary
4 supplement, the professional development supplement, and the
5 early intervention supplement.

6 Sec. 5. Section 257.15, subsection 4, paragraph b, Code
7 2013, is amended to read as follows:

8 *b.* After lowering all school district adjusted additional
9 property tax levy rates to the statewide maximum adjusted
10 additional property tax levy rate under paragraph "a", the
11 department of management shall use any remaining funds at the
12 end of the calendar year to further lower additional property
13 taxes by increasing for the budget year beginning the following
14 July 1, the state foundation base percentage. Moneys used
15 pursuant to this paragraph shall supplant an equal amount of
16 the appropriation made from the general fund of the state
17 pursuant to section 257.16 that represents the increase in
18 state foundation aid.

19 Sec. 6. NEW SECTION. **257.16B School district property tax**
20 **replacement payments.**

21 1. For each fiscal year beginning on or after July 1, 2013,
22 there is appropriated from the general fund of the state to the
23 department of education an amount necessary to make all school
24 district property tax replacement payments under this section,
25 as calculated in subsection 2, paragraph "c".

26 2. For each budget year beginning on or after July 1, 2013,
27 the department of management shall calculate for each school
28 district all of the following:

29 *a.* The state cost per pupil for the budget year beginning
30 July 1, 2012, multiplied by one hundred percent less the
31 regular program foundation base per pupil percentage pursuant
32 to section 257.1.

33 *b.* The state cost per pupil for the budget year multiplied
34 by one hundred percent less the regular program foundation base
35 per pupil percentage pursuant to section 257.1.

1 c. The amount of each school district's property tax
2 replacement payment. Each school district's property tax
3 replacement payment equals the school district's weighted
4 enrollment for the budget year multiplied by the remainder of
5 the amount calculated for the school district under paragraph
6 "b" minus the amount calculated for the school district under
7 paragraph "a".

8 3. School district property tax replacement payments under
9 this section shall be paid by the department of education at
10 the same time and in the same manner as foundation aid is paid
11 and may be included in the monthly payment of state aid under
12 section 257.16, subsection 2.

13 Sec. 7. CODE SECTION 257.8 — IMPLEMENTATION. The
14 requirements of section 257.8, subsections 1 and 2, regarding
15 the enactment of bills establishing the regular program state
16 percent of growth and the categorical state percent of growth
17 within thirty days of the submission in the year preceding the
18 base year of the governor's budget and regarding the subject
19 matter limitation of such bills do not apply to this division
20 of this Act.

21 Sec. 8. EFFECTIVE UPON ENACTMENT. This division of this
22 Act, being deemed of immediate importance, takes effect upon
23 enactment.

24 DIVISION II

25 SCHOOL DISTRICT FUNDING TERMINOLOGY

26 Sec. 9. Section 256C.4, subsection 1, paragraph f, Code
27 2013, is amended to read as follows:

28 f. The receipt of funding by a school district for the
29 purposes of this chapter, the need for additional funding
30 for the purposes of this chapter, or the enrollment count of
31 eligible students under this chapter shall not be considered
32 to be unusual circumstances, create an unusual need for
33 additional funds, or qualify under any other circumstances that
34 may be used by the school budget review committee to grant
35 supplemental aid to or establish modified ~~allowable growth~~

1 supplemental state aid for a school district under section
2 257.31.

3 Sec. 10. Section 257.2, subsection 1, Code 2013, is amended
4 by striking the subsection.

5 Sec. 11. Section 257.2, subsection 12, Code 2013, is amended
6 to read as follows:

7 12. "*State percent of growth*" means the percent of growth
8 which is established by statute pursuant to section 257.8, and
9 which is used in determining the ~~allowable growth~~ supplemental
10 state aid.

11 Sec. 12. Section 257.2, Code 2013, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 12A. "*Supplemental state aid*" means the
14 amount by which state cost per pupil and district cost per
15 pupil will increase from one budget year to the next.

16 Sec. 13. Section 257.6, subsection 1, paragraph a,
17 subparagraph (5), Code 2013, is amended to read as follows:

18 (5) Resident pupils receiving competent private instruction
19 from a licensed practitioner provided through a public
20 school district pursuant to chapter 299A shall be counted
21 as three-tenths of one pupil. Revenues received by a
22 school district attributed to a school district's weighted
23 enrollment pursuant to this subparagraph shall be expended
24 for the purpose for which the weighting was assigned under
25 this subparagraph. If the school district determines that
26 the expenditures associated with providing competent private
27 instruction pursuant to chapter 299A are in excess of the
28 revenue attributed to the school district's weighted enrollment
29 for such instruction in accordance with this subparagraph,
30 the school district may submit a request to the school budget
31 review committee for modified ~~allowable growth~~ supplemental
32 state aid in accordance with section 257.31, subsection 5,
33 paragraph "n". A home school assistance program shall not
34 provide moneys received pursuant to this subparagraph, nor
35 resources paid for with moneys received pursuant to this

1 subparagraph, to parents or students utilizing the program.
2 Moneys received by a school district pursuant to this
3 subparagraph shall be used as provided in section 299A.12.

4 Sec. 14. Section 257.8, subsections 3, 6, and 7, Code 2013,
5 are amended to read as follows:

6 3. ~~Allowable-growth~~ Supplemental state aid calculation. The
7 department of management shall calculate the regular program
8 ~~allowable-growth~~ supplemental state aid for a budget year by
9 multiplying the state percent of growth for the budget year
10 by the regular program state cost per pupil for the base year
11 and shall calculate the special education support services
12 ~~allowable-growth~~ supplemental state aid for the budget year by
13 multiplying the state percent of growth for the budget year by
14 the special education support services state cost per pupil for
15 the base year.

16 6. ~~Combined allowable-growth~~ supplemental state aid. The
17 combined ~~allowable-growth~~ supplemental state aid per pupil
18 for each school district is the sum of the regular program
19 ~~allowable-growth~~ supplemental state aid per pupil and
20 the special education support services ~~allowable-growth~~
21 supplemental state aid per pupil for the budget year, which may
22 be modified as follows:

23 a. By the school budget review committee under section
24 257.31.

25 b. By the department of management under section 257.36.

26 7. ~~Alternate allowable-growth~~ supplemental state aid —
27 *definitions*. For budget years beginning July 1, 2000, and
28 subsequent budget years, references to the terms "~~allowable~~
29 ~~growth~~" "supplemental state aid", "*regular program state cost*
30 *per pupil*", and "*regular program district cost per pupil*" shall
31 mean those terms as calculated for those school districts that
32 calculated regular program ~~allowable-growth~~ supplemental state
33 aid for the school budget year beginning July 1, 1999, with the
34 additional thirty-eight dollars specified in section 257.8,
35 subsection 4, Code 2013.

1 Sec. 15. Section 257.8, subsections 4 and 5, Code 2013, are
2 amended by striking the subsections.

3 Sec. 16. Section 257.9, subsection 1, paragraph b, Code
4 2013, is amended to read as follows:

5 *b.* The total calculated under this subsection shall
6 be divided by the total of the budget enrollments of all
7 school districts for the budget year beginning July 1, 1990,
8 calculated under section 257.6, subsection 4, if section
9 257.6, subsection 4, had been in effect for that budget
10 year. The regular program state cost per pupil for the
11 budget year beginning July 1, 1991, is the amount calculated
12 by the department of management under this subsection plus
13 ~~an allowable growth~~ a supplemental state aid amount, as
14 defined in this division of this Act, that is equal to the
15 state percent of growth for the budget year multiplied by the
16 amount calculated by the department of management under this
17 subsection.

18 Sec. 17. Section 257.9, subsections 2, 4, 6, 7, 8, 9, and
19 10, Code 2013, are amended to read as follows:

20 2. *Regular program state cost per pupil for 1992-1993 and*
21 *succeeding years.* For the budget year beginning July 1, 1992,
22 and succeeding budget years, the regular program state cost
23 per pupil for a budget year is the regular program state cost
24 per pupil for the base year plus the regular program ~~allowable~~
25 ~~growth~~ supplemental state aid for the budget year.

26 4. *Special education support services state cost per pupil*
27 *for 1992-1993 and succeeding years.* For the budget year
28 beginning July 1, 1992, and succeeding budget years, the
29 special education support services state cost per pupil for the
30 budget year is the special education support services state
31 cost per pupil for the base year plus the special education
32 support services ~~allowable growth~~ supplemental state aid for
33 the budget year.

34 6. *Teacher salary supplement state cost per pupil.* For the
35 budget year beginning July 1, 2009, for the teacher salary

1 supplement state cost per pupil, the department of management
 2 shall add together the teacher compensation allocation made
 3 to each district for the fiscal year beginning July 1, 2008,
 4 pursuant to section 284.13, subsection 1, paragraph "h", Code
 5 2009, and the phase II allocation made to each district for the
 6 fiscal year beginning July 1, 2008, pursuant to section 294A.9,
 7 Code 2009, and divide that sum by the statewide total budget
 8 enrollment for the fiscal year beginning July 1, 2009. The
 9 teacher salary supplement state cost per pupil for the budget
 10 year beginning July 1, 2010, and succeeding budget years, shall
 11 be the amount calculated by the department of management under
 12 this subsection for the base year plus ~~an allowable growth a~~
 13 supplemental state aid amount that is equal to the teacher
 14 salary supplement categorical state percent of growth, pursuant
 15 to section 257.8, subsection 2, for the budget year, multiplied
 16 by the amount calculated by the department of management under
 17 this subsection for the base year.

18 7. *Professional development supplement state cost per*
 19 *pupil.* For the budget year beginning July 1, 2009, for the
 20 professional development supplement state cost per pupil, the
 21 department of management shall add together the professional
 22 development allocation made to each district for the fiscal
 23 year beginning July 1, 2008, pursuant to section 284.13,
 24 subsection 1, paragraph "d", Code 2009, and divide that sum
 25 by the statewide total budget enrollment for the fiscal
 26 year beginning July 1, 2009. The professional development
 27 supplement state cost per pupil for the budget year beginning
 28 July 1, 2010, and succeeding budget years, shall be the
 29 amount calculated by the department of management under
 30 this subsection for the base year plus ~~an allowable growth a~~
 31 supplemental state aid amount that is equal to the professional
 32 development supplement categorical state percent of growth,
 33 pursuant to section 257.8, subsection 2, for the budget year,
 34 multiplied by the amount calculated by the department of
 35 management under this subsection for the base year.

1 8. *Early intervention supplement state cost per pupil.* For
 2 the budget year beginning July 1, 2009, for the early
 3 intervention supplement state cost per pupil, the department of
 4 management shall add together the early intervention allocation
 5 made to each district for the fiscal year beginning July
 6 1, 2008, pursuant to section 256D.4, Code 2009, and divide
 7 that sum by the statewide total budget enrollment for the
 8 fiscal year beginning July 1, 2009. The early intervention
 9 supplement state cost per pupil for the budget year beginning
 10 July 1, 2010, and succeeding budget years, shall be the
 11 amount calculated by the department of management under
 12 this subsection for the base year plus ~~an allowable growth~~
 13 a supplemental state aid amount that is equal to the early
 14 intervention supplement categorical state percent of growth,
 15 pursuant to section 257.8, subsection 2, for the budget year,
 16 multiplied by the amount calculated by the department of
 17 management under this subsection for the base year.

18 9. *Area education agency teacher salary supplement state cost*
 19 *per pupil.* For the budget year beginning July 1, 2009, for
 20 the area education agency teacher salary supplement state cost
 21 per pupil, the department of management shall add together the
 22 teacher compensation allocation made to each area education
 23 agency for the fiscal year beginning July 1, 2008, pursuant to
 24 section 284.13, subsection 1, paragraph "i", Code 2009, and
 25 the phase II allocation made to each area education agency for
 26 the fiscal year beginning July 1, 2008, pursuant to section
 27 294A.9, Code 2009, and divide that sum by the statewide special
 28 education support services weighted enrollment for the fiscal
 29 year beginning July 1, 2009. The area education agency teacher
 30 salary supplement state cost per pupil for the budget year
 31 beginning July 1, 2010, and succeeding budget years, shall be
 32 the amount calculated by the department of management under
 33 this subsection for the base year plus ~~an allowable growth~~ a
 34 supplemental state aid amount that is equal to the teacher
 35 salary supplement categorical state percent of growth, pursuant

1 to section 257.8, subsection 2, for the budget year, multiplied
 2 by the amount calculated by the department of management under
 3 this subsection for the base year.

4 10. *Area education agency professional development supplement*
 5 *state cost per pupil.* For the budget year beginning July 1,
 6 2009, for the area education agency professional development
 7 supplement state cost per pupil, the department of management
 8 shall add together the professional development allocation made
 9 to each area education agency for the fiscal year beginning
 10 July 1, 2008, pursuant to section 284.13, subsection 1,
 11 paragraph "d", Code 2009, and divide that sum by the statewide
 12 special education support services weighted enrollment for the
 13 fiscal year beginning July 1, 2009. The area education agency
 14 professional development supplement state cost per pupil for
 15 the budget year beginning July 1, 2010, and succeeding budget
 16 years, shall be the amount calculated by the department of
 17 management under this subsection for the base year plus an
 18 ~~allowable growth~~ a supplemental state aid amount that is equal
 19 to the professional development supplement categorical state
 20 percent of growth, pursuant to section 257.8, subsection 2, for
 21 the budget year, multiplied by the amount calculated by the
 22 department of management under this subsection for the base
 23 year.

24 Sec. 18. Section 257.10, subsection 1, Code 2013, is amended
 25 to read as follows:

26 1. *Regular program district cost per pupil for*
 27 *1991-1992.* For the budget year beginning July 1, 1991, in order
 28 to determine the regular program district cost per pupil for a
 29 district, the department of management shall divide the product
 30 of the regular program district cost per pupil of the district
 31 for the base year, as regular program district cost per pupil
 32 would have been calculated under section 442.9, Code 1989,
 33 multiplied by its budget enrollment for the base year as budget
 34 enrollment would have been calculated under section 442.4,
 35 Code 1989, plus the amount added to district cost pursuant

1 to section 442.21, Code 1989, for each school district, by
 2 the budget enrollment of the school district for the budget
 3 year beginning July 1, 1990, calculated under section 257.6,
 4 subsection 4, as if section 257.6, subsection 4, had been in
 5 effect for that budget year. The regular program district cost
 6 per pupil for the budget year beginning July 1, 1991, is the
 7 amount calculated by the department of management under this
 8 subsection plus the ~~allowable-growth~~ supplemental state aid
 9 amount, as defined in this division of this Act, calculated
 10 for regular program state cost per pupil, except that if the
 11 regular program district cost per pupil for the budget year
 12 calculated under this subsection in any school district exceeds
 13 one hundred ten percent of the regular program state cost per
 14 pupil for the budget year, the department of management shall
 15 reduce the regular program district cost per pupil of that
 16 district for the budget year to an amount equal to one hundred
 17 ten percent of the regular program state cost per pupil for the
 18 budget year, and if the regular program district cost per pupil
 19 for the budget year calculated under this subsection in any
 20 school district is less than the regular program state cost per
 21 pupil for the budget year, the department of management shall
 22 increase the regular program district cost per pupil of that
 23 district to an amount equal to the regular program state cost
 24 per pupil for the budget year.

25 Sec. 19. Section 257.10, subsection 2, paragraph a, Code
 26 2013, is amended to read as follows:

27 a. For the budget year beginning July 1, 1992, and
 28 succeeding budget years, the regular program district cost per
 29 pupil for each school district for a budget year is the regular
 30 program district cost per pupil for the base year plus the
 31 regular program ~~allowable-growth~~ supplemental state aid for the
 32 budget year except as otherwise provided in this subsection.

33 Sec. 20. Section 257.10, subsection 4, paragraph a, Code
 34 2013, is amended to read as follows:

35 a. For the budget year beginning July 1, 1992, and

1 succeeding budget years, the special education support services
2 district cost per pupil for the budget year is the special
3 education support services district cost per pupil for the base
4 year plus the special education support services ~~allowable~~
5 ~~growth~~ supplemental state aid for the budget year.

6 Sec. 21. Section 257.10, subsection 5, Code 2013, is amended
7 to read as follows:

8 5. *Combined district cost per pupil.* The combined district
9 cost per pupil for a school district is the sum of the regular
10 program district cost per pupil and the special education
11 support services district cost per pupil. Combined district
12 cost per pupil does not include modified ~~allowable-growth~~
13 supplemental state aid added for school districts that have
14 a negative balance of funds raised for special education
15 instruction programs, modified ~~allowable-growth~~ supplemental
16 state aid granted by the school budget review committee for a
17 single school year, or modified ~~allowable-growth~~ supplemental
18 state aid added for programs for dropout prevention.

19 Sec. 22. Section 257.10, subsection 9, paragraph a, Code
20 2013, is amended to read as follows:

21 a. For the budget year beginning July 1, 2009, the
22 department of management shall add together the teacher
23 compensation allocation made to each district for the fiscal
24 year beginning July 1, 2008, pursuant to section 284.13,
25 subsection 1, paragraph "h", Code 2009, and the phase II
26 allocation made to each district for the fiscal year beginning
27 July 1, 2008, pursuant to section 294A.9, Code 2009, and
28 divide that sum by the district's budget enrollment in the
29 fiscal year beginning July 1, 2009, to determine the teacher
30 salary supplement district cost per pupil. For the budget
31 year beginning July 1, 2010, and succeeding budget years,
32 the teacher salary supplement district cost per pupil for
33 each school district for a budget year is the teacher salary
34 supplement program district cost per pupil for the base year
35 plus the teacher salary supplement ~~state-allowable-growth~~

1 supplemental state aid amount for the budget year.

2 Sec. 23. Section 257.10, subsection 10, paragraph a, Code
3 2013, is amended to read as follows:

4 a. For the budget year beginning July 1, 2009, the
5 department of management shall divide the professional
6 development allocation made to each district for the fiscal
7 year beginning July 1, 2008, pursuant to section 284.13,
8 subsection 1, paragraph `d`, Code 2009, by the district's
9 budget enrollment in the fiscal year beginning July 1, 2009,
10 to determine the professional development supplement cost
11 per pupil. For the budget year beginning July 1, 2010,
12 and succeeding budget years, the professional development
13 supplement district cost per pupil for each school district
14 for a budget year is the professional development supplement
15 district cost per pupil for the base year plus the professional
16 development supplement ~~state allowable growth~~ supplemental
17 state aid amount for the budget year.

18 Sec. 24. Section 257.10, subsection 11, paragraph a, Code
19 2013, is amended to read as follows:

20 a. For the budget year beginning July 1, 2009, the
21 department of management shall divide the early intervention
22 allocation made to each district for the fiscal year beginning
23 July 1, 2008, pursuant to section 256D.4, Code 2009, by the
24 district's budget enrollment in the fiscal year beginning July
25 1, 2009, to determine the early intervention supplement cost
26 per pupil. For the budget year beginning July 1, 2010, and
27 succeeding budget years, the early intervention supplement
28 district cost per pupil for each school district for a budget
29 year is the early intervention supplement district cost per
30 pupil for the base year plus the early development supplement
31 ~~state allowable growth~~ supplemental state aid amount for the
32 budget year.

33 Sec. 25. Section 257.13, subsections 2 and 3, Code 2013, are
34 amended to read as follows:

35 2. The board of directors of a school district that wishes

1 to receive an on-time funding budget adjustment shall adopt
2 a resolution to receive the adjustment and notify the school
3 budget review committee annually, but not earlier than November
4 1, as determined by the department of education. The school
5 budget review committee shall establish a modified ~~allowable~~
6 ~~growth~~ supplemental state aid in an amount determined pursuant
7 to subsection 1.

8 3. If the board of directors of a school district
9 determines that a need exists for additional funds exceeding
10 the authorized budget adjustment for on-time funding pursuant
11 to this section, a request for modified ~~allowable-growth~~
12 supplemental state aid based upon increased enrollment may be
13 submitted to the school budget review committee as provided in
14 section 257.31.

15 Sec. 26. Section 257.31, subsection 5, unnumbered paragraph
16 1, Code 2013, is amended to read as follows:

17 If a district has unusual circumstances, creating an unusual
18 need for additional funds, including but not limited to the
19 circumstances enumerated in paragraphs "a" through "n", the
20 committee may grant supplemental aid to the district from any
21 funds appropriated to the department of education for the use
22 of the school budget review committee for the purposes of
23 this subsection. The school budget review committee shall
24 review a school district's unexpended fund balance prior to
25 any decision regarding unusual finance circumstances. Such
26 aid shall be miscellaneous income and shall not be included in
27 district cost. In addition to or as an alternative to granting
28 supplemental aid the committee may establish a modified
29 ~~allowable-growth~~ supplemental state aid for the district by
30 increasing its ~~allowable-growth~~ supplemental state aid. The
31 school budget review committee shall review a school district's
32 unspent balance prior to any decision to increase modified
33 ~~allowable-growth~~ supplemental state aid under this subsection.

34 Sec. 27. Section 257.31, subsection 6, paragraph a, Code
35 2013, is amended to read as follows:

1 a. The committee shall establish a modified ~~allowable~~
2 ~~growth~~ supplemental state aid for a district by increasing
3 its ~~allowable-growth~~ supplemental state aid when the district
4 submits evidence that it requires additional funding for
5 removal, management, or abatement of environmental hazards due
6 to a state or federal requirement. Environmental hazards shall
7 include but are not limited to the presence of asbestos, radon,
8 or the presence of any other hazardous material dangerous to
9 health and safety.

10 Sec. 28. Section 257.31, subsection 7, paragraph b, Code
11 2013, is amended to read as follows:

12 b. Other expenditures, including but not limited to
13 expenditures for salaries or recurring costs, are not
14 authorized under this subsection. Expenditures authorized
15 under this subsection shall not be included in ~~allowable-growth~~
16 supplemental state aid or district cost, and the portion of the
17 unexpended fund balance which is authorized to be spent shall
18 be regarded as if it were miscellaneous income. Any part of
19 the amount not actually spent for the authorized purpose shall
20 revert to its former status as part of the unexpended fund
21 balance.

22 Sec. 29. Section 257.31, subsection 14, paragraph b,
23 subparagraph (3), Code 2013, is amended to read as follows:

24 (3) A school district is only eligible to receive
25 supplemental aid payments during the budget year if the school
26 district certifies to the school budget review committee that
27 for the year following the budget year it will notify the
28 school budget review committee to instruct the director of the
29 department of management to increase the district's ~~allowable~~
30 ~~growth~~ supplemental state aid and will fund the ~~allowable~~
31 ~~growth~~ supplemental state aid increase either by using moneys
32 from its unexpended fund balance to reduce the district's
33 property tax levy or by using cash reserve moneys to equal the
34 amount of the deficit that would have been property taxes and
35 any part of the state aid portion of the deficit not received

1 as supplemental aid under this subsection. The director of the
2 department of management shall make the necessary adjustments
3 to the school district's budget to provide the modified
4 ~~allowable-growth~~ supplemental state aid and shall make the
5 supplemental aid payments.

6 Sec. 30. Section 257.32, subsection 1, paragraph a, Code
7 2013, is amended to read as follows:

8 a. An area education agency budget review procedure is
9 established for the school budget review committee created
10 in section 257.30. The school budget review committee, in
11 addition to its duties under section 257.31, shall meet and
12 hold hearings each year to review unusual circumstances of area
13 education agencies, either upon the committee's motion or upon
14 the request of an area education agency. The committee may
15 grant supplemental aid to the area education agency from funds
16 appropriated to the department of education for area education
17 agency budget review purposes, or an amount may be added to
18 the area education agency special education support services
19 ~~allowable-growth~~ supplemental state aid for districts in an
20 area or an additional amount may be added to district cost for
21 media services or educational services for all districts in an
22 area for the budget year either on a temporary or permanent
23 basis, or both.

24 Sec. 31. Section 257.37, subsections 1 and 3, Code 2013, are
25 amended to read as follows:

26 1. For the budget year beginning July 1, 1991, and
27 succeeding budget years, the total amount funded in each area
28 for media services shall be computed as provided in this
29 subsection. For the budget year beginning July 1, 1991, the
30 total amount funded in each area for media services in the
31 base year shall be divided by the enrollment served in the
32 base year to provide an area media services cost per pupil in
33 the base year, and the department of management shall compute
34 the state media services cost per pupil in the base year which
35 is equal to the average of the area media services costs per

1 pupil in the base year. For the budget year beginning July 1,
2 1991, and succeeding budget years, the department of management
3 shall compute the ~~allowable-growth~~ supplemental state aid for
4 media services in the budget year by multiplying the state
5 media services cost per pupil in the base year times the state
6 percent of growth for the budget year, and the total amount
7 funded in each area for media services cost in the budget year
8 equals the area media services cost per pupil in the base year
9 plus the ~~allowable-growth~~ supplemental state aid for media
10 services in the budget year times the enrollment served in the
11 budget year. Funds shall be paid to area education agencies
12 as provided in section 257.35.

13 3. For the budget year beginning July 1, 1991, and
14 succeeding budget years, the total amount funded in each area
15 for educational services shall be computed as provided in this
16 subsection. For the budget year beginning July 1, 1991, the
17 total amount funded in each area for educational services
18 in the base year shall be divided by the enrollment served
19 in the area in the base year to provide an area educational
20 services cost per pupil in the base year, and the department of
21 management shall compute the state educational services cost
22 per pupil in the base year, which is equal to the average of
23 the area educational services costs per pupil in the base year.
24 For the budget year beginning July 1, 1991, and succeeding
25 budget years, the department of management shall compute
26 the ~~allowable-growth~~ supplemental state aid for educational
27 services by multiplying the state educational services cost
28 per pupil in the base year times the state percent of growth
29 for the budget year, and the total amount funded in each area
30 for educational services for the budget year equals the area
31 educational services cost per pupil for the base year plus
32 the ~~allowable-growth~~ supplemental state aid for educational
33 services in the budget year times the enrollment served in the
34 area in the budget year. Funds shall be paid to area education
35 agencies as provided in section 257.35.

1 Sec. 32. Section 257.37A, subsection 1, paragraph a, Code
2 2013, is amended to read as follows:

3 a. For the budget year beginning July 1, 2009, the
4 department of management shall add together the teacher
5 compensation allocation made to each area education agency for
6 the fiscal year beginning July 1, 2008, pursuant to section
7 284.13, subsection 1, paragraph "i", Code 2009, and the phase II
8 allocation made to each area education agency for the fiscal
9 year beginning July 1, 2008, pursuant to section 294A.9, Code
10 2009, and divide that sum by the special education support
11 services weighted enrollment in the fiscal year beginning July
12 1, 2009, to determine the area education agency teacher salary
13 supplement cost per pupil. For the budget year beginning July
14 1, 2010, and succeeding budget years, the area education agency
15 teacher salary supplement district cost per pupil for each area
16 education agency for a budget year is the area education agency
17 teacher salary supplement district cost per pupil for the base
18 year plus the area education agency teacher salary supplement
19 ~~state allowable growth~~ supplemental state aid amount for the
20 budget year.

21 Sec. 33. Section 257.37A, subsection 2, paragraph a, Code
22 2013, is amended to read as follows:

23 a. For the budget year beginning July 1, 2009, the
24 department of management shall divide the area education
25 agency professional development supplement made to each
26 area education agency for the fiscal year beginning July 1,
27 2008, pursuant to section 284.13, subsection 1, paragraph
28 "d", Code 2009, by the special education support services
29 weighted enrollment in the fiscal year beginning July 1, 2009,
30 to determine the professional development supplement cost
31 per pupil. For the budget year beginning July 1, 2010, and
32 succeeding budget years, the area education agency professional
33 development supplement district cost per pupil for each area
34 education agency for a budget year is the area education agency
35 professional development supplement district cost per pupil

1 for the base year plus the area education agency professional
2 development supplement ~~state allowable growth~~ supplemental
3 state aid amount for the budget year.

4 Sec. 34. Section 257.38, subsection 1, unnumbered paragraph
5 1, Code 2013, is amended to read as follows:

6 Boards of school districts, individually or jointly with
7 boards of other school districts, requesting to use modified
8 ~~allowable growth~~ supplemental state aid for programs for
9 returning dropouts and dropout prevention, shall submit
10 comprehensive program plans for the programs and budget
11 costs, including annual requests for modified ~~allowable~~
12 ~~growth~~ supplemental state aid for funding the programs, to the
13 department of education as a component of the comprehensive
14 school improvement plan submitted to the department pursuant to
15 section 256.7, subsection 21. The program plans shall include:

16 Sec. 35. Section 257.38, subsection 2, Code 2013, is amended
17 to read as follows:

18 2. Program plans shall identify the parts of the plan that
19 will be implemented first upon approval of the request. If
20 a district is requesting to use modified ~~allowable growth~~
21 supplemental state aid to finance the program, the school
22 district shall not identify more than five percent of its
23 budget enrollment for the budget year as returning dropouts and
24 potential dropouts.

25 Sec. 36. Section 257.40, Code 2013, is amended to read as
26 follows:

27 **257.40 Approval of programs for returning dropouts and**
28 **dropout prevention — annual report.**

29 1. The board of directors of a school district requesting
30 to use modified ~~allowable growth~~ supplemental state aid
31 for programs for returning dropouts and dropout prevention
32 shall submit requests for modified at-risk ~~allowable growth~~
33 supplemental state aid, including budget costs, to the
34 department not later than December 15 of the year preceding
35 the budget year during which the program will be offered.

1 The department shall review the request and shall prior to
2 January 15 either grant approval for the request or return the
3 request for approval with comments of the department included.
4 An unapproved request for a program may be resubmitted with
5 modifications to the department not later than February 1.
6 Not later than February 15, the department shall notify the
7 department of management and the school budget review committee
8 of the names of the school districts for which programs using
9 modified ~~allowable-growth~~ supplemental state aid for funding
10 have been approved and the approved budget of each program
11 listed separately for each school district having an approved
12 request.

13 2. Beginning January 15, 2007, the department shall submit
14 an annual report to the chairpersons and ranking members
15 of the senate and house education committees that includes
16 the ways school districts in the previous school year used
17 modified ~~allowable-growth~~ supplemental state aid approved under
18 subsection 1; identifies, by grade level, age, and district
19 size, the students in the dropout and dropout prevention
20 programs for which the department approves a request; describes
21 school district progress toward increasing student achievement
22 and attendance for the students in the programs; and describes
23 how the school districts are using the revenues from the
24 modified ~~allowable-growth~~ supplemental state aid to improve
25 student achievement among minority subgroups.

26 Sec. 37. Section 257.41, subsections 1 and 3, Code 2013, are
27 amended to read as follows:

28 1. *Budget.* The budget of an approved program for returning
29 dropouts and dropout prevention for a school district, after
30 subtracting funds received from other sources for that purpose,
31 shall be funded annually on a basis of one-fourth or more
32 from the district cost of the school district and up to
33 three-fourths by an increase in ~~allowable-growth~~ supplemental
34 state aid as defined in section 257.8. Annually, the
35 department of management shall establish a modified ~~allowable~~

1 ~~growth~~ supplemental state aid for each such school district
2 equal to the difference between the approved budget for the
3 program for returning dropouts and dropout prevention for that
4 district and the sum of the amount funded from the district
5 cost of the school district plus funds received from other
6 sources.

7 3. *Limitation.* For the fiscal year beginning July 1, 2013,
8 and each succeeding fiscal year, the ratio of the amount of
9 modified ~~allowable-growth~~ supplemental state aid established by
10 the department of management compared to the school district's
11 total regular program district cost shall not exceed two and
12 one-half percent. However, if the school district's highest
13 such ratio so determined for any fiscal year beginning on or
14 after July 1, 2009, but before July 1, 2013, exceeded two and
15 one-half percent, the ratio may exceed two and one-half percent
16 but shall not exceed the highest such ratio established during
17 that period.

18 Sec. 38. Section 257.46, subsection 2, Code 2013, is amended
19 to read as follows:

20 2. The remaining portion of the budget shall be funded
21 by the thirty-eight dollar increase in ~~allowable-growth~~
22 supplemental state aid, as defined in this division of this
23 Act, for the school budget year beginning July 1, 1999,
24 multiplied by a district's budget enrollment. The thirty-eight
25 dollar increase for the school budget year beginning July 1,
26 1999, shall increase in subsequent years by each year's state
27 percent of growth. School districts shall annually report
28 the amount expended for a gifted and talented program to the
29 department of education. The proportion of a school district's
30 budget which corresponds to the thirty-eight dollar increase
31 in ~~allowable-growth~~ supplemental state aid, as defined in this
32 division of this Act, for the school budget year beginning July
33 1, 1999, added to the amount in subsection 1, shall be utilized
34 exclusively for a school district's gifted and talented
35 program.

1 Sec. 39. Section 273.23, subsection 8, Code 2013, is amended
2 to read as follows:

3 8. For the school year beginning on the effective date
4 of an area education agency reorganization as provided in
5 this subchapter, the special education support services
6 cost per pupil shall be based upon the combined base year
7 budgets for special education support services of the area
8 education agencies that reorganized to form the newly formed
9 area education agency, divided by the total of the weighted
10 enrollment for special education support services in the
11 reorganized area education agency for the base year plus the
12 ~~allowable-growth~~ supplemental state aid amount per pupil for
13 special education support services for the budget year as
14 calculated in section 257.8.

15 Sec. 40. Section 280.4, subsection 3, Code 2013, is amended
16 to read as follows:

17 3. In order to provide funds for the excess costs of
18 instruction of limited English proficient students above
19 the costs of instruction of pupils in a regular curriculum,
20 students identified as limited English proficient shall be
21 assigned an additional weighting of twenty-two hundredths, and
22 that weighting shall be included in the weighted enrollment of
23 the school district of residence for a period not exceeding
24 four years. However, the school budget review committee
25 may grant supplemental aid or modified ~~allowable-growth~~
26 supplemental state aid to a school district to continue funding
27 a program for students after the expiration of the four-year
28 period.

29 Sec. 41. APPLICABILITY. This division of this Act applies
30 to school budget years beginning on or after July 1, 2014.

31 DIVISION III

32 IOWA LEARNING ONLINE INITIATIVE — FEES AND APPROPRIATIONS

33 Sec. 42. Section 256.42, Code 2013, is amended by adding the
34 following new subsections:

35 NEW SUBSECTION. 8. The department shall establish fees

1 payable by school districts and accredited nonpublic schools
2 participating in the initiative. Fees collected pursuant
3 to this subsection are appropriated to the department to be
4 used only for the purpose of administering this section and
5 shall be established so as not to exceed the budgeted cost of
6 administering this section to the extent not covered by the
7 moneys appropriated in subsection 9. Providing professional
8 development necessary to prepare teachers to participate in the
9 initiative shall be considered a cost of administering this
10 section. Notwithstanding section 8.33, fees collected by the
11 department that remain unencumbered or unobligated at the close
12 of the fiscal year shall not revert but shall remain available
13 for expenditure for the purpose of expanding coursework offered
14 under the initiative in subsequent fiscal years.

15 NEW SUBSECTION. 9. There is appropriated from the general
16 fund of the state to the department, for the following fiscal
17 years, the following amounts, to be used for administering
18 this section and for not more than three full-time equivalent
19 positions:

20 *a.* For the fiscal year beginning July 1, 2013, and ending
21 June 30, 2014, the sum of one million five hundred thousand
22 dollars.

23 *b.* For the fiscal year beginning July 1, 2014, and ending
24 June 30, 2015, the sum of one million five hundred thousand
25 dollars.

26 *c.* For the fiscal year beginning July 1, 2015, and ending
27 June 30, 2016, the sum of one million five hundred thousand
28 dollars.

29 DIVISION IV

30 TRAINING AND EMPLOYMENT OF TEACHERS

31 Sec. 43. NEW SECTION. **256.95 Teach Iowa marketing and**
32 **public outreach initiative.**

33 Subject to an appropriation of sufficient funds by the
34 general assembly, the department shall develop and implement a
35 teach Iowa marketing and public outreach initiative by January

1 1, 2014. The initiative shall have the following goals:

2 1. To motivate high-performing high school and college
3 students to enter teacher preparation programs and to enter the
4 teaching profession in Iowa upon successful completion of such
5 programs.

6 2. To motivate teacher candidates, especially those in
7 science, technology, engineering, and mathematics fields, to
8 enter teacher preparation programs and to enter the teaching
9 profession in Iowa upon successful completion of such programs.

10 3. To recruit high-caliber teacher candidates to pursue
11 teaching careers in Iowa.

12 4. To encourage teacher candidates to pursue teaching
13 careers in rural Iowa.

14 5. To inform the public of the value of the teaching
15 profession and of the importance of Iowa's education system to
16 the future of Iowa.

17 Sec. 44. NEW SECTION. **256.96 Online state job posting**
18 **system.**

19 1. The department shall provide for the operation of an
20 online state job posting system. The system shall be designed
21 and implemented for the online posting of job openings offered
22 by school districts, charter schools, area education agencies,
23 the department, and accredited nonpublic schools. The system
24 shall be accessible via the department's internet site. The
25 system shall include a mechanism for the electronic submission
26 of job openings for posting on the system as provided in
27 subsection 2. The department may contract for, or partner
28 with another entity for, the use of an existing internet
29 site to operate the online state job posting system if the
30 existing internet site is more effective and economical than
31 the department's internet site.

32 2. A school district, charter school, or area education
33 agency shall submit all of its job openings to the department
34 for posting on the system. The department shall post all of
35 its job openings on the system. An accredited nonpublic school

1 may submit job openings to the department for posting on the
2 system.

3 3. This section shall not be construed to do any of the
4 following:

5 a. Prohibit any employer from advertising job openings and
6 recruiting employees independently of the system.

7 b. Prohibit any employer from using another method of
8 advertising job openings or another applicant tracking system
9 in addition to the system.

10 c. Provide the department with any regulatory authority in
11 the hiring process or hiring decisions of any employer other
12 than the department.

13 Sec. 45. NEW SECTION. 256.98 Teach Iowa student teaching
14 pilot project.

15 1. Subject to an appropriation of sufficient funds by
16 the general assembly, the department shall establish a teach
17 Iowa student teaching pilot project in collaboration with
18 two institutions of higher education which offer teacher
19 preparation programs approved by the state board of education
20 pursuant to section 256.7, subsection 3. The two institutions
21 of higher education shall include one institution of higher
22 education under the control of the state board of regents and
23 one accredited private institution as defined in section 261.9.

24 2. The teach Iowa student teaching pilot project shall
25 provide students in teacher preparation programs with a
26 one-year student teaching experience. A student teaching
27 experience provided under the pilot project must include all
28 of the following requirements:

29 a. A participating institution of higher education
30 shall work with one or more school districts individually
31 or collaboratively to place groups of students in a
32 student teaching experience for an entire academic year. A
33 participating institution of higher education shall take into
34 consideration geographic diversity in the selection of school
35 districts for participation in the pilot project.

1 *b.* A participating institution of higher education shall
2 supervise the student teachers in the classroom and shall
3 provide the students with weekly on-site instruction in
4 pedagogy in the participating school districts.

5 3. The state board shall adopt rules pursuant to chapter 17A
6 to administer this section.

7 Sec. 46. Section 261.2, subsection 8, Code 2013, is amended
8 to read as follows:

9 8. Submit by January 15 annually a report to the general
10 assembly which provides, by program, the number of individuals
11 who received loan forgiveness in the previous fiscal year, the
12 amount paid to individuals under sections 261.23, and 261.73,
13 ~~and 261.112~~, and the institutions from which individuals
14 graduated, and that includes any proposed statutory changes and
15 the commission's findings and recommendations.

16 Sec. 47. NEW SECTION. **261.110 Teach Iowa scholar program.**

17 1. A teach Iowa scholar program is established to provide
18 teach Iowa scholar grants to selected high-caliber teachers.
19 The commission shall administer the program in collaboration
20 with the department of education.

21 2. An Iowa resident or nonresident applicant shall be
22 eligible for a teach Iowa scholar grant if the applicant
23 meets all of the criteria specified under, or established in
24 accordance with, subsection 3.

25 3. Criteria for eligibility shall be established by the
26 commission and shall include but are not limited to the
27 following:

28 *a.* The applicant was in the top twenty-five percent
29 academically of students exiting a teacher preparation program
30 approved by the state board of education pursuant to section
31 256.7, subsection 3, or a similar teacher preparation program
32 in another state, or had earned other comparable academic
33 credentials.

34 *b.* The applicant is preparing to teach in fields including
35 but not limited to science, technology, engineering, or

1 mathematics; or is preparing to teach in a hard-to-staff
2 subject as identified by the department. The department shall
3 annually identify and designate hard-to-staff subjects for the
4 purpose of this paragraph.

5 4. A selected applicant who meets all of the eligibility
6 requirements of this section shall be eligible for a teach Iowa
7 scholar grant for each year of full-time employment completed
8 in this state as a teacher for a school district, charter
9 school, area education agency, or accredited nonpublic school.
10 A teach Iowa scholar grant shall not exceed four thousand
11 dollars per year per recipient. Grants awarded under this
12 section shall not exceed a total of twenty thousand dollars per
13 recipient over a five-year period.

14 5. The commission, in collaboration with the department
15 of education, shall adopt rules pursuant to chapter 17A to
16 administer this section. The rules shall include but shall not
17 be limited to a process for use by the commission to determine
18 which eligible applicants will receive teach Iowa scholar
19 grants.

20 6. A teach Iowa scholar fund is established in the state
21 treasury. The fund shall be administered by the commission and
22 shall consist of moneys appropriated by the general assembly
23 and any other moneys received by the commission for deposit
24 in the fund. The moneys in the fund are appropriated to the
25 commission for the teach Iowa scholar program. Notwithstanding
26 section 8.33, moneys in the fund at the close of the fiscal
27 year shall not revert to the general fund of the state but
28 shall remain available for expenditure for the teach Iowa
29 scholar program for subsequent fiscal years. Notwithstanding
30 section 12C.7, subsection 2, interest or earnings on moneys in
31 the fund shall be credited to the fund.

32 Sec. 48. DEPARTMENT OF EDUCATION — TEACH IOWA FY
33 2013-2014. There is appropriated from the general fund of
34 the state to the department of education for the fiscal year
35 beginning July 1, 2013, and ending June 30, 2014, the following

1 amounts, or so much thereof as is necessary, to be used for the
2 purposes designated:

3 1. TEACH IOWA MARKETING AND PUBLIC OUTREACH INITIATIVE

4 For purposes of developing and implementing the teach Iowa
5 marketing and public outreach initiative pursuant to section
6 256.95, if enacted, and for not more than the following
7 full-time equivalent positions:

8	\$	1,000,000
9	FTEs	3.00

10 Notwithstanding section 8.33, moneys appropriated in this
11 subsection that remain unencumbered or unobligated at the close
12 of the fiscal year for which they were appropriated shall
13 not revert but shall be transferred to the college student
14 aid commission for deposit in the teach Iowa scholar fund
15 established pursuant to section 261.110, if enacted.

16 2. TEACH IOWA STUDENT TEACHING PILOT PROJECT

17 For purposes of developing and implementing the teach Iowa
18 student teaching pilot project pursuant to section 256.98,
19 if enacted, and for not more than the following full-time
20 equivalent positions:

21	\$	2,000,000
22	FTEs	2.00

23 Sec. 49. DEPARTMENT OF EDUCATION — TEACH IOWA FY
24 2014-2015. There is appropriated from the general fund of
25 the state to the department of education for the fiscal year
26 beginning July 1, 2014, and ending June 30, 2015, the following
27 amounts, or so much thereof as is necessary, to be used for the
28 purposes designated:

29 1. TEACH IOWA MARKETING AND PUBLIC OUTREACH INITIATIVE

30 For purposes of developing and implementing the teach Iowa
31 marketing and public outreach initiative pursuant to section
32 256.95, if enacted, and for not more than the following
33 full-time equivalent positions:

34	\$	1,000,000
35	FTEs	3.00

1 Notwithstanding section 8.33, moneys appropriated in this
2 subsection that remain unencumbered or unobligated at the close
3 of the fiscal year for which they were appropriated shall
4 not revert but shall be transferred to the college student
5 aid commission for deposit in the teach Iowa scholar fund
6 established pursuant to section 261.110, if enacted.

7 2. TEACH IOWA STUDENT TEACHING PILOT PROJECT

8 For purposes of developing and implementing the teach Iowa
9 student teaching pilot project pursuant to section 256.98,
10 if enacted, and for not more than the following full-time
11 equivalent positions:

12	\$	2,000,000
13	FTEs	2.00

14 Sec. 50. REPEAL. Section 261.112, Code 2013, is repealed.

15 Sec. 51. TRANSITION FUNDING PROVISIONS. On July 1, 2014,
16 any unobligated and unencumbered moneys in the teacher shortage
17 loan forgiveness repayment fund shall revert to the general
18 fund of the state. Any remaining obligations of the teacher
19 shortage loan forgiveness program continuing on or after July
20 1, 2014, shall be met with moneys in the teach Iowa scholar
21 fund established by section 261.110.

22 Sec. 52. EFFECTIVE DATE. The following provisions of this
23 division of this Act take effect July 1, 2014:

24 1. The section of this division of this Act amending section
25 261.2.

26 2. The section of this division of this Act repealing
27 section 261.112.

28 DIVISION V

29 ASSESSMENTS — IOWA CERTIFICATE OF DISTINCTION PROGRAM

30 Sec. 53. Section 256.7, subsection 21, paragraph b, Code
31 2013, is amended to read as follows:

32 b. A set of core academic indicators in mathematics and
33 reading in grades four, eight, and eleven, a set of core
34 academic indicators in science in grades eight and eleven, and
35 another set of core indicators that includes but is not limited

1 to graduation rate, postsecondary education, and successful
2 employment in Iowa.

3 (1) Annually, the department shall report state data
4 for each indicator in the condition of education report.
5 Rules adopted pursuant to this subsection shall specify that
6 the approved district-wide assessment of student progress
7 administered for purposes of ~~this paragraph~~ the indicators
8 shall be the assessment utilized by school districts statewide
9 in the school year beginning July 1, 2011, or a successor
10 assessment administered by the same assessment provider.

11 (2) Notwithstanding subparagraph (1), for the school
12 year beginning July 1, 2014, and each succeeding school
13 year, the rules shall provide that all students enrolled
14 in school districts in grades three through eleven shall,
15 within forty-five days of the end of the school year, be
16 administered an assessment that at a minimum assesses the
17 indicators identified in this paragraph "b"; is aligned with
18 the Iowa common core standards in both content and rigor;
19 is developed by a consortium in which the state of Iowa is
20 a participant; accurately describes student achievement and
21 growth for purposes of the school, the school district, and
22 state accountability systems; and provides valid, reliable,
23 and fair measures of student progress toward college or career
24 readiness.

25 (3) The director shall establish a task force to review
26 and assist with the final development and implementation of
27 the assessment specified in subparagraph (2). The task force
28 members shall include but not be limited to teachers, school
29 administrators, business leaders, representatives of state
30 agencies, and members of the general public. This subparagraph
31 is repealed July 1, 2015.

32 (4) The state board may submit to the general assembly
33 recommendations the state board deems appropriate for
34 modifications of assessments of student progress administered
35 for purposes of this paragraph "b".

1 Sec. 54. NEW SECTION. 256.27 Iowa certificate of
2 distinction program and council.

3 1. An Iowa certificate of distinction program is
4 established within the department. The program shall be
5 designed by the director, in collaboration with local education
6 agencies and accredited higher education institutions, to
7 accomplish the following objectives if implemented by a school
8 district or accredited nonpublic school:

9 *a.* To define college- and career-ready performance
10 expectations that are aligned to national and international
11 college- and career-ready standards.

12 *b.* To compel stronger alignment of curriculum, instruction,
13 and assessment with the knowledge, skills, and abilities most
14 predictive of student success in secondary and postsecondary
15 education programs, and in careers.

16 *c.* To identify students who upon graduation from high school
17 demonstrate specific competencies aligned with college and
18 career readiness.

19 *d.* To validate that students have met specific expectations
20 and demonstrated essential competencies or skills identified
21 by the department as important across a range of education and
22 career opportunities.

23 *e.* To recognize students by awarding a certificate of
24 distinction associated with specific subjects or areas of
25 accomplishment.

26 *f.* (1) To encourage institutions of higher education
27 governed by the state board of regents and accredited private
28 institutions as defined in section 261.9 to consider the
29 certificate of distinction in assessing whether an applicant
30 meets the institution's requirements for admission.

31 (2) To encourage community colleges to exempt students
32 awarded a certificate of distinction by meeting college-
33 or career-readiness standards from additional placement or
34 readiness testing.

35 (3) To integrate the Iowa certificate of distinction in

1 career-readiness and college-readiness program with the I have
2 a plan Iowa program administered by the college student aid
3 commission, the Iowa core implementation plan, competency-based
4 education, the skilled Iowa program administered by the
5 department of workforce development, the economic development
6 authority's targeted industries program, the Iowa science,
7 technology, engineering, and mathematics advisory council, and
8 other statewide workforce initiatives as appropriate.

9 *g.* To encourage business and industry to realize the
10 benefits of the certificate of distinction program.

11 2. The certificate of distinction program council is
12 created within the department to regularly advise and make
13 recommendations to the director and the state board on the
14 operation of the certificate of distinction program. The
15 governor shall appoint the council's members.

16 *a.* The council shall submit its findings and recommendations
17 periodically and at least annually in a report to the governor,
18 the director, and the state board. The council shall do the
19 following:

20 (1) Recommend specific academic or skill areas for which
21 a certificate of distinction may be awarded, including but
22 not limited to certificates related to college-readiness,
23 specialized academic pathways, and specialized career and
24 technical pathways including fields related to science,
25 technology, engineering, and mathematics.

26 (2) Recommend standards for certificates of distinction
27 that reflect the high quality of work a student must complete
28 throughout a significant portion of the student's secondary
29 education, and not merely during a single year.

30 (3) Recommend specific requirements and criteria for
31 awarding a certificate of distinction in each subject or area
32 of accomplishment. The requirements shall include but not be
33 limited to the demonstration of competencies in both content
34 and universal constructs through the following:

35 (a) A core course of study.

1 (b) A specialized course of study related to each area for
2 which a certificate of distinction may be awarded.

3 (c) Multiple assessments and demonstrations of competency
4 in a variety of formats including but not limited to at least
5 one standardized measure of college readiness and the national
6 career readiness certificate.

7 (d) A capstone project portfolio demonstrating academic and
8 nonacademic skills and abilities associated with postsecondary
9 academic success. The recommendation shall include the content
10 areas in which a capstone project may be completed and an
11 optional capstone project focusing on entrepreneurship or
12 entrepreneurial education.

13 (4) Recommend, as necessary, adjustments to types or
14 categories of certificates of distinction available for award
15 based on criteria to be determined by the state board.

16 (5) Recommend a tiered implementation schedule that
17 begins July 1, 2014, has a goal of making some certificates of
18 distinction available for award to the 2015 graduating class,
19 and results in full implementation of the program by July 1,
20 2017.

21 (6) Recommend a strategy to meet the objective established
22 in subsection 1, paragraph "f".

23 (7) Recommend a strategy to encourage participating Iowa
24 businesses and industries to establish hiring preferences to
25 an applicant who was awarded a certificate of distinction,
26 including but not limited to a certificate that requires
27 attainment of a national career readiness certificate and other
28 readiness criteria.

29 *b.* The council shall be comprised of at least twenty
30 voting members representing the elementary and secondary
31 education community, the postsecondary education community,
32 small business employers, medium-size business employers, large
33 business employers, local government, state government, and
34 economic development entities. Members shall be appointed
35 to reflect a balance between educators and noneducators. In

1 selecting individuals for appointment to the council, the
2 governor shall seek nominations from the following entities:

- 3 (1) The Iowa business council.
- 4 (2) The Iowa association of business and industry.
- 5 (3) The Iowa chamber alliance.
- 6 (4) The professional developers of Iowa.
- 7 (5) The department of workforce development.
- 8 (6) The economic development authority.
- 9 (7) An association representing individuals providing Iowa
10 career and technical education.
- 11 (8) An association comprised of Iowa school counselors.
- 12 (9) A statewide organization representing Iowa
13 municipalities.
- 14 (10) The Iowa council of governments.
- 15 (11) The state board of regents, which shall submit
16 nominations for at least three prospective members.
- 17 (12) An association representing accredited private
18 institutions as defined in section 261.9.
- 19 (13) A statewide association representing Iowa's community
20 college presidents.
- 21 (14) A statewide association representing Iowa school
22 administrators licensed under chapter 272.
- 23 (15) A statewide association representing the boards of
24 directors of Iowa school districts.
- 25 (16) A statewide association representing Iowa's accredited
26 nonpublic schools.
- 27 (17) A statewide organization made up of the Iowa school
28 districts with the largest enrollments.
- 29 (18) A statewide organization representing teachers
30 licensed under chapter 272.

31 *c.* Four members of the general assembly shall serve as ex
32 officio, nonvoting members of the council, with one member to
33 be appointed by each of the following: the majority leader of
34 the senate, the minority leader of the senate, the speaker of
35 the house of representatives, and the minority leader of the

1 house of representatives. A legislative member serves for a
2 term as provided in section 69.16B and is eligible for per diem
3 and expenses as provided in section 2.10.

4 3. The state board shall adopt, and may amend, standards,
5 requirements, and criteria for awarding a certificate of
6 distinction, which shall be made available to school districts
7 and participating accredited nonpublic schools not later than
8 July 1, 2014.

9 4. By June 1, 2014, the state board shall adopt rules
10 pursuant to chapter 17A for the administration of this section,
11 including but not limited to rules establishing the minimum
12 components of the certificate of distinction program that
13 are part of the educational standards under section 256.11,
14 subsection 5. The rules shall require participating school
15 districts to note achievement of a certificate of distinction
16 on a qualifying student's high school transcript.

17 5. The authorities in charge of an accredited nonpublic
18 school may elect to participate in the certificate of
19 distinction program, and may offer students enrolled in the
20 school the opportunity to participate in the program.

21 Sec. 55. DEPARTMENT OF EDUCATION — CERTIFICATE OF
22 DISTINCTION PROGRAM. There is appropriated from the
23 general fund of the state to the department of education
24 for the following fiscal years the following amounts, or so
25 much thereof as is necessary, to be used for the purposes
26 designated:

27 For purposes of developing and implementing the certificate
28 of distinction program pursuant to section 256.27, if enacted:
29 FY 2013-2014..... \$ 200,000

30 DIVISION VI

31 TEACHER AND ADMINISTRATOR DEVELOPMENT SYSTEM

32 Sec. 56. Section 256.7, Code 2013, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 33. Adopt rules establishing a statewide
35 system of evaluation and performance review requirements for

1 teachers and a statewide system of evaluation requirements for
 2 administrators. The systems shall align with Iowa teaching
 3 standards or the Iowa standards for school administrators, as
 4 appropriate, and shall use clear and concise evaluation and
 5 performance review criteria and descriptors; provide for a
 6 fair and balanced use of student outcome measures, comprised
 7 of objective, reliable measures of student growth, classroom
 8 observations and student surveys; include a tiered evaluation
 9 or performance review system that differentiates at least four
 10 tiers of teacher performance; and be applicable to all teachers
 11 and school administrators, as appropriate, in a charter school,
 12 school district, or area education agency.

13 Sec. 57. Section 256.9, subsections 46 and 51, Code 2013,
 14 are amended to read as follows:

15 46. Develop core knowledge and skill criteria, ~~based upon~~
 16 significantly shaped by the Iowa teaching standards and the
 17 interstate teacher assessment and support consortium's model
 18 core teaching standards, for the evaluation, the advancement,
 19 and for teacher career development purposes pursuant to chapter
 20 284. The criteria shall further define the characteristics of
 21 quality teaching as established by the Iowa teaching standards
 22 and the interstate teacher assessment and support consortium's
 23 model core teaching standards. The director, in consultation
 24 with the board of educational examiners, shall also develop a
 25 transition plan for implementation of the career development
 26 standards developed pursuant to section 256.7, subsection 25,
 27 with regard to licensure renewal requirements. The plan shall
 28 include a requirement that practitioners be allowed credit for
 29 career development completed prior to implementation of the
 30 career development standards developed pursuant to section
 31 256.7, subsection 25.

32 51. Develop, and periodically review and revise as
 33 necessary, Iowa standards for school administrators, including
 34 knowledge and skill criteria, and develop, based on the
 35 Iowa standards for administrators, mentoring and induction,

1 evaluation processes, and professional development plans
2 pursuant to chapter 284A. The criteria shall further define
3 the characteristics of quality administrators as established by
4 the Iowa standards for school administrators.

5 Sec. 58. Section 256.9, Code 2013, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 63. Do all of the following by July 1,
8 2015, in order to develop and implement an Iowa educator
9 development system:

10 a. (1) Develop by July 1, 2015, additional Iowa teaching
11 standards designed specifically for purposes of chapters 279
12 and 284. The additional standards shall align with nationally
13 accepted teaching standards. Based upon the standards
14 developed pursuant to this paragraph, the director shall
15 develop core knowledge and skill criteria for the evaluation
16 and advancement of teachers, and for teacher career development
17 purposes pursuant to chapter 284. The criteria shall further
18 define the characteristics of quality teaching as significantly
19 shaped by the Iowa teaching standards and the interstate
20 teacher assessment and support consortium's model core teaching
21 standards.

22 (2) The Iowa teaching standards developed pursuant to
23 subparagraph (1) shall be based on significant input from the
24 council on educator development established and convened by the
25 director. By October 15, 2015, the director shall submit to
26 the state board and to the general assembly recommendations
27 for changes in policy or statute. If implementation of the
28 Iowa teaching standards developed pursuant to subparagraph (1)
29 require a change in policy or statute, the change shall not be
30 made without statutory approval.

31 b. Develop and implement Iowa standards for school
32 administrators designed specifically for purposes of chapters
33 272 and 284A. The standards shall be based on significant
34 input from Iowa administrators and align with nationally
35 accepted school administrator standards.

1 c. Review and, where necessary, revise the standards and
2 requirements for the evaluator training program established
3 pursuant to section 284.10.

4 d. Develop and implement a coaching and support system for
5 teachers aligned with the Iowa teacher career paths, leadership
6 roles, and compensation framework established pursuant to
7 section 284.15, if enacted.

8 e. Develop and implement a coaching and support system
9 for administrators aligned with the beginning administrator
10 mentoring and induction program created pursuant to section
11 284A.5.

12 Sec. 59. Section 272.9A, subsection 1, Code 2013, is amended
13 to read as follows:

14 1. ~~Beginning July 1, 2007, requirements~~ Requirements for
15 administrator licensure beyond an initial license shall include
16 completion of a beginning administrator mentoring and induction
17 program and demonstration of competence on the ~~administrator~~
18 Iowa standards for school administrators adopted pursuant to
19 ~~section 284A.3~~ 256.7, subsection 27.

20 Sec. 60. Section 279.14, subsection 1, Code 2013, is amended
21 to read as follows:

22 1. The board shall establish written evaluation criteria
23 and shall establish and annually implement evaluation
24 procedures. The evaluation criteria and procedures shall be
25 consistent with the statewide system of performance review
26 requirements established by the state board pursuant to section
27 256.7, subsection 33, and the provisions of chapter 284. If
28 an exclusive bargaining representative has been certified, the
29 board shall negotiate in good faith with respect to evaluation
30 procedures pursuant to chapter 20.

31 Sec. 61. Section 279.23A, Code 2013, is amended to read as
32 follows:

33 **279.23A Evaluation criteria and procedures.**

34 The board shall establish written evaluation criteria and
35 shall establish and annually implement evaluation procedures.

1 The evaluation criteria and procedures shall be consistent
2 with the statewide system of evaluation requirements for
3 administrators established by the state board pursuant to
4 section 256.7, subsection 33, and with the provisions of
5 chapter 284A. The board shall also establish written job
6 descriptions for all supervisory positions.

7 Sec. 62. Section 284.3, subsections 2 and 3, Code 2013, are
8 amended to read as follows:

9 2. A school board shall provide for the following:

10 a. For purposes of comprehensive evaluations for beginning
11 teachers required to allow beginning teachers to progress to
12 career teachers, standards and criteria that are the Iowa
13 teaching standards specified in subsection 1 and the criteria
14 for the Iowa teaching standards developed by the ~~department in~~
15 ~~accordance with section 256.9, subsection 46~~ director. These
16 standards and criteria shall be set forth in an instrument
17 provided by the department. The comprehensive evaluation
18 and instrument are not subject to negotiations or grievance
19 procedures pursuant to chapter 20 or determinations made by the
20 board of directors under section 279.14. A local school board
21 and its certified bargaining representative may negotiate,
22 pursuant to chapter 20, evaluation and grievance procedures for
23 beginning teachers that are not in conflict with this chapter.
24 If, in accordance with section 279.19, a beginning teacher
25 appeals the determination of a school board to an adjudicator
26 under section 279.17, the adjudicator selected shall have
27 successfully completed training related to the Iowa teacher
28 standards, the criteria adopted by the state board of education
29 in accordance with subsection 3, and any additional training
30 required under rules adopted by the public employment relations
31 board in cooperation with the state board of education.

32 b. For purposes of performance reviews for teachers other
33 than beginning teachers, evaluations that contain, at a
34 minimum, the Iowa teaching standards ~~specified in subsection 1~~
35 and the interstate teacher assessment and support consortium's

1 model core teaching standards, as well as ~~the criteria for the~~
 2 ~~Iowa additional~~ teaching standards developed by the department
 3 ~~in accordance with section 256.9, subsection 46~~ director,
 4 and a balanced use of student outcome measurers, comprised
 5 of objective, reliable measures of student growth, classroom
 6 observation, and student surveys. A local school board and its
 7 certified bargaining representative may negotiate, pursuant
 8 to chapter 20, additional teaching standards and criteria. A
 9 local school board and its certified bargaining representative
 10 shall negotiate, pursuant to chapter 20, evaluation and
 11 grievance procedures for teachers other than beginning teachers
 12 that are not in conflict with this chapter.

13 3. The state board shall adopt by rule pursuant to chapter
 14 17A the criteria developed by the ~~department in accordance with~~
 15 ~~section 256.9, subsection 46~~ director.

16 Sec. 63. Section 284.8, subsection 2, Code 2013, is amended
 17 to read as follows:

18 2. If a supervisor or an evaluator determines, at any
 19 time, as a result of a teacher's performance that the teacher
 20 is not meeting district expectations under the Iowa teaching
 21 standards specified in section 284.3, subsection 1, paragraphs
 22 "a" through "h", the criteria for the Iowa teaching standards
 23 developed by the ~~department in accordance with section 256.9,~~
 24 ~~subsection 46~~ director, and any other standards or criteria
 25 established in the collective bargaining agreement, the
 26 evaluator shall, at the direction of the teacher's supervisor,
 27 recommend to the district that the teacher participate in an
 28 intensive assistance program. The intensive assistance program
 29 and its implementation are subject to negotiation and grievance
 30 procedures established pursuant to chapter 20. All school
 31 districts shall be prepared to offer an intensive assistance
 32 program.

33 Sec. 64. Section 284A.2, subsection 3, Code 2013, is amended
 34 to read as follows:

35 3. "*Comprehensive evaluation*" means a summative evaluation

1 of a beginning administrator conducted by an evaluator
2 in accordance with section ~~284A.3~~ 284A.4 for purposes of
3 determining a beginning administrator's level of competency
4 for recommendation for licensure based on the Iowa standards
5 for school administrators adopted pursuant to section 256.7,
6 subsection 27.

7 Sec. 65. Section 284A.3, Code 2013, is amended to read as
8 follows:

9 **284A.3 Iowa standards for school ~~administrators~~ administrator**
10 **evaluations.**

11 By July 1, 2008, each school board shall provide for
12 evaluations for administrators under individual professional
13 development plans developed in accordance with section 279.23A,
14 and the Iowa standards for school administrators and related
15 criteria adopted by the state board in accordance with section
16 256.7, subsection 27. A local school board may establish
17 additional administrator standards and related criteria. This
18 section is repealed July 1, 2015.

19 Sec. 66. COUNCIL ON EDUCATOR DEVELOPMENT ESTABLISHED.

20 1. The director of the department of education shall
21 establish and convene a council on educator development
22 to review the current teacher and administrator evaluation
23 requirements and the teacher performance review requirements,
24 and to make recommendations to the director regarding
25 improvement to the evaluation and performance review
26 requirements for teachers and to the evaluation requirements
27 for administrators.

28 2. The council shall make recommendations to the director
29 concerning development of the following:

30 a. A holistic vision of teacher and administrator
31 development and dissemination of this vision to schools, school
32 districts, and area education agencies.

33 b. Methods designed to foster a culture of continuous
34 learning and improvement within schools, school districts,
35 and area education agencies with differentiated supports for

1 educators.

2 c. Iowa teaching standards and the administrator standards
3 for school administrators.

4 d. Performance review for teachers and evaluation criteria
5 for teachers and administrators.

6 e. A method for incorporating a fair and balanced use of
7 student outcome measures comprised of objective, reliable
8 measures of student growth, classroom observation, and student
9 surveys, into teacher evaluations.

10 f. A means to differentiate teacher performance into four
11 tiers.

12 3. The council shall be comprised of at least seventeen
13 voting members appointed by the director as follows:

14 a. Eight members representing education stakeholders; four
15 of whom shall be practitioners knowledgeable about the Iowa
16 core curriculum, and four of whom shall be knowledgeable about
17 current education research and practice in educator quality.

18 b. One member representing the department of education, who
19 shall serve as chairperson of the council.

20 c. One member representing the area education agencies.

21 d. One member representing a certified employee
22 organization representing teachers licensed under chapter 272.

23 e. One member representing a statewide organization
24 representing school administrators licensed under chapter 272.

25 f. One member representing rural school districts selected
26 by a statewide organization representing the boards of
27 directors of school districts.

28 g. One member representing an organization made up of Iowa
29 school districts with the largest student enrollments.

30 h. One member representing Iowa's approved teacher
31 preparation programs.

32 i. One member representing Iowa's approved administrator
33 preparation programs.

34 j. One member representing parents of Iowa elementary or
35 secondary students.

1 k. Other education stakeholders as determined by the
2 director.

3 4. Four members of the general assembly shall serve as ex
4 officio, nonvoting members of the council, with one member to
5 be appointed by each of the following: the majority leader of
6 the senate, the minority leader of the senate, the speaker of
7 the house of representatives, and the minority leader of the
8 house of representatives.

9 5. The council shall submit its findings and
10 recommendations to the state board of education, the governor,
11 and the general assembly by January 1, 2015.

12 6. The director shall consider the findings and
13 recommendations of the council to revise evaluator training in
14 accordance with section 256.9, subsection 63; and to develop
15 a statewide system of performance review requirements for
16 teachers and a statewide system of evaluation requirements for
17 administrators which the director shall submit to the state
18 board of education for approval.

19 Sec. 67. DEPARTMENT OF EDUCATION — EDUCATOR DEVELOPMENT
20 SYSTEM. There is appropriated from the general fund of the
21 state to the department of education for the fiscal period
22 beginning July 1, 2013, and ending June 30, 2015, the following
23 amounts, or so much thereof as is necessary, to be used for the
24 purposes designated:

25 For purposes of developing and implementing an Iowa educator
26 development system pursuant to section 256.9, subsection 63,
27 if enacted, and establishing a council on educator development
28 pursuant to this Act:

29 FY 2013-2014.....	\$	500,000
30 FY 2014-2015.....	\$	3,500,000

31 Of the moneys appropriated each fiscal year for purposes of
32 this section, up to \$300,000 may be used by the department for
33 administrative purposes and for not more than three full-time
34 equivalent positions.

35 DIVISION VII

1 IOWA TEACHER CAREER AND COMPENSATION MATTERS

2 Sec. 68. Section 257.1, subsection 2, paragraph b, Code
3 2013, is amended to read as follows:

4 b. For the budget year commencing July 1, 1999, and for each
5 succeeding budget year the regular program foundation base per
6 pupil is eighty-seven and five-tenths percent of the regular
7 program state cost per pupil. For the budget year commencing
8 July 1, 1991, and for each succeeding budget year the special
9 education support services foundation base is seventy-nine
10 percent of the special education support services state cost
11 per pupil. The combined foundation base is the sum of the
12 regular program foundation base, the special education support
13 services foundation base, the total teacher salary supplement
14 district cost, the total professional development supplement
15 district cost, the total early intervention supplement district
16 cost, the total teacher leadership supplement district cost,
17 the total area education agency teacher salary supplement
18 district cost, and the total area education agency professional
19 development supplement district cost.

20 Sec. 69. Section 257.1, subsection 3, Code 2013, is amended
21 to read as follows:

22 3. *Computations rounded.* In making computations and
23 payments under this chapter, except in the case of computations
24 relating to funding of special education support services,
25 media services, and educational services provided through the
26 area education agencies, and the teacher salary supplement, the
27 professional development supplement, ~~and~~ the early intervention
28 supplement, and the teacher leadership supplement, the
29 department of management shall round amounts to the nearest
30 whole dollar.

31 Sec. 70. Section 257.4, subsection 1, paragraph a, Code
32 2013, is amended by adding the following new subparagraph:

33 NEW SUBPARAGRAPH. (8) The total teacher leadership
34 supplement district cost.

35 Sec. 71. Section 257.8, subsection 2, Code 2013, is amended

1 to read as follows:

2 2. *Categorical state percent of growth.* The categorical
3 state percent of growth for the budget year beginning July 1,
4 2010, is two percent. The categorical state percent of growth
5 for the budget year beginning July 1, 2012, is two percent.
6 The categorical state percent of growth for each budget year
7 shall be established by statute which shall be enacted within
8 thirty days of the submission in the year preceding the
9 base year of the governor's budget under section 8.21. The
10 establishment of the categorical state percent of growth for a
11 budget year shall be the only subject matter of the bill which
12 enacts the categorical state percent of growth for a budget
13 year. The categorical state percent of growth may include
14 state percents of growth for the teacher salary supplement, the
15 professional development supplement, ~~and~~ the early intervention
16 supplement, and the teacher leadership supplement.

17 Sec. 72. Section 257.9, Code 2013, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 11. *Teacher leadership supplement state cost*
20 *per pupil.* The teacher leadership supplement state cost per
21 pupil amount for the budget year beginning July 1, 2014, shall
22 be calculated by the department of management by dividing the
23 allocation amount for the budget year beginning July 1, 2014,
24 in section 284.13, subsection 1, paragraph "0e", subparagraph
25 (5), by one-third of the statewide total budget enrollment for
26 the fiscal year beginning July 1, 2014. The teacher leadership
27 supplement state cost per pupil for the budget year beginning
28 July 1, 2015, and succeeding budget years, shall be the teacher
29 leadership supplement state cost per pupil for the base year
30 plus a supplemental state aid amount that is equal to the
31 teacher leadership supplement categorical state percent of
32 growth, pursuant to section 257.8, subsection 2, for the budget
33 year, multiplied by the teacher leadership supplement state
34 cost per pupil for the base year.

35 Sec. 73. Section 257.10, subsection 8, paragraph a, Code

1 2013, is amended to read as follows:

2 *a.* Combined district cost is the sum of the regular program
3 district cost per pupil multiplied by the weighted enrollment,
4 the special education support services district cost, the total
5 teacher salary supplement district cost, the total professional
6 development supplement district cost, ~~and~~ the total early
7 intervention supplement district cost, and the total teacher
8 leadership supplement district cost, plus the sum of the
9 additional district cost allocated to the district to fund
10 media services and educational services provided through the
11 area education agency, the area education agency total teacher
12 salary supplement district cost and the area education agency
13 total professional development supplement district cost.

14 Sec. 74. Section 257.10, Code 2013, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 12. *Teacher leadership supplement cost per*
17 *pupil and district cost.*

18 *a.* The teacher leadership supplement district cost per
19 pupil amount for the budget year beginning July 1, 2014, shall
20 be calculated by the department of management by dividing the
21 allocation amount for the budget year beginning July 1, 2014,
22 in section 284.13, subsection 1, paragraph "0e", subparagraph
23 (5), by one-third of the statewide total budget enrollment
24 for the fiscal year beginning July 1, 2014. For the budget
25 year beginning July 1, 2015, and succeeding budget years, the
26 teacher leadership supplement district cost per pupil for each
27 school district for a budget year is the teacher leadership
28 supplement program district cost per pupil for the base year
29 plus the teacher leadership supplement supplemental state aid
30 amount for the budget year.

31 *b.* For the budget year beginning July 1, 2015, and
32 succeeding budget years, if the department of management
33 determines that the unadjusted teacher leadership supplement
34 district cost of a school district for a budget year is less
35 than one hundred percent of the unadjusted teacher leadership

1 supplement district cost for the base year for the school
2 district, the school district shall receive a budget adjustment
3 for that budget year equal to the difference.

4 *c.* (1) The unadjusted teacher leadership supplement
5 district cost is the teacher leadership supplement district
6 cost per pupil for each school district for a budget year
7 multiplied by the budget enrollment for that school district.

8 (2) The total teacher leadership supplement district cost
9 is the sum of the unadjusted teacher leadership supplement
10 district cost plus the budget adjustment for that budget year.

11 *d.* For the budget year beginning July 1, 2014, and
12 succeeding budget years, the use of the funds calculated under
13 this subsection shall comply with the requirements of chapter
14 284 and shall be distributed to teachers pursuant to section
15 284.15. The funds shall be used only to increase the stipend
16 payment for a model, mentor, or lead teacher; to increase the
17 percentages of model, mentor, or lead teachers; to increase the
18 minimum teacher starting salary to thirty-two thousand dollars;
19 to cover the costs for the time mentor and lead teachers are
20 not providing instruction to students in a classroom; for
21 coverage of a classroom when an initial or career teacher is
22 observing or co-teaching with a mentor, model, or lead teacher;
23 for professional development time to learn best practices
24 associated with the career pathways leadership process; and for
25 other costs associated with an alternative teacher leadership
26 proposal submitted by a district and approved by the department
27 of education with the goals of improving instruction and
28 elevating the quality of teaching and student learning.

29 Sec. 75. Section 257.16, subsection 4, Code 2013, is amended
30 to read as follows:

31 4. Notwithstanding any provision to the contrary, if
32 the governor orders budget reductions in accordance with
33 section 8.31, the teacher salary supplement district cost,
34 the professional development supplement district cost, ~~and~~
35 the early intervention supplement district cost, and the

1 teacher leadership supplement district cost as calculated
2 under section 257.10, subsections 9, 10, ~~and 11,~~ and 12, and
3 the area education agency teacher salary supplement district
4 cost and the area education agency professional development
5 supplement district cost as calculated under section 257.37A,
6 subsections 1 and 2, shall be paid in full as calculated and
7 the reductions in the appropriations provided in accordance
8 with this section shall be reduced from the remaining moneys
9 appropriated pursuant to this section and shall be distributed
10 on a per pupil basis calculated with the weighted enrollment
11 determined in accordance with section 257.6, subsection 5.

12 Sec. 76. Section 282.18, subsection 7, Code 2013, is amended
13 to read as follows:

14 7. A pupil participating in open enrollment shall be
15 counted, for state school foundation aid purposes, in the
16 pupil's district of residence. A pupil's residence, for
17 purposes of this section, means a residence under section
18 282.1. The board of directors of the district of residence
19 shall pay to the receiving district the state cost per
20 pupil for the previous school year, the teacher leadership
21 supplement district cost per pupil for the previous fiscal
22 year as provided in section 257.10, and the teacher leadership
23 supplement state cost per pupil for the previous fiscal year
24 as provided in section 257.9, plus any moneys received for
25 the pupil as a result of the non-English speaking weighting
26 under section 280.4, subsection 3, for the previous school
27 year multiplied by the state cost per pupil for the previous
28 year. If the pupil participating in open enrollment is also
29 an eligible pupil under section 261E.6, the receiving district
30 shall pay the tuition reimbursement amount to an eligible
31 postsecondary institution as provided in section 261E.7.

32 Sec. 77. Section 284.2, subsections 1, 7, and 8, Code 2013,
33 are amended to read as follows:

34 1. "*Beginning teacher*" means an individual serving under an
35 initial or intern license, ~~issued by the board of educational~~

1 ~~examiners~~ under chapter 272, who is assuming a position as a
 2 teacher. "Beginning teacher" includes an individual who is
 3 an initial teacher. For purposes of the beginning teacher
 4 mentoring and induction program created pursuant to section
 5 284.5, "beginning teacher" also includes preschool teachers
 6 who are licensed ~~by the board of educational examiners~~ under
 7 chapter 272 and are employed by a school district or area
 8 education agency. "Beginning teacher" does not include a
 9 teacher whose employment with a school district or area
 10 education agency is probationary unless the teacher is serving
 11 under an initial or teacher intern license issued ~~by the board~~
 12 ~~of educational examiners~~ under chapter 272.

13 7. "Mentor" means an individual employed by a school
 14 district or area education agency as a teacher or a retired
 15 teacher who holds a valid license issued under chapter
 16 272. The individual must have a record of ~~four~~ two years
 17 of successful teaching practice, must be employed on a
 18 nonprobationary basis, and must demonstrate professional
 19 commitment to both the improvement of teaching and learning and
 20 the development of beginning teachers.

21 8. "Performance review" means a summative evaluation of
 22 a teacher other than a beginning teacher ~~and~~ that is used
 23 to determine whether the teacher's practice meets school
 24 district expectations and the Iowa teaching standards, ~~and to~~
 25 ~~determine whether the teacher's practice meets school district~~
 26 ~~expectations for career advancement~~ in accordance with section
 27 ~~284.7~~ 284.8.

28 Sec. 78. Section 284.3, subsection 2, paragraph a, Code
 29 2013, is amended to read as follows:

30 a. For purposes of comprehensive evaluations ~~for~~, standards
 31 and criteria which measure a beginning teachers required to
 32 allow beginning teachers to progress to career teachers,
 33 ~~standards and criteria that are~~ teacher's performance against
 34 the Iowa teaching standards specified in subsection 1, and
 35 the criteria for the Iowa teaching standards developed by the

1 department in accordance with section 256.9, ~~subsection 46 to~~
 2 determine whether the teacher's practice meets the requirements
 3 specified for a career teacher. These standards and criteria
 4 shall be set forth in an instrument provided by the department.
 5 The comprehensive evaluation and instrument are not subject to
 6 negotiations or grievance procedures pursuant to chapter 20 or
 7 determinations made by the board of directors under section
 8 279.14. A local school board and its certified bargaining
 9 representative may negotiate, pursuant to chapter 20,
 10 evaluation and grievance procedures for beginning teachers that
 11 are not in conflict with this chapter. If, in accordance with
 12 section 279.19, a beginning teacher appeals the determination
 13 of a school board to an adjudicator under section 279.17, the
 14 adjudicator selected shall have successfully completed training
 15 related to the Iowa teacher standards, the criteria adopted by
 16 the state board ~~of education~~ in accordance with subsection 3,
 17 and any additional training required under rules adopted by the
 18 public employment relations board in cooperation with the state
 19 board ~~of education~~.

20 Sec. 79. Section 284.3A, subsection 2, paragraph a, Code
 21 2013, is amended to read as follows:

22 a. For the school budget year beginning July 1, 2010,
 23 and each succeeding school year, school districts and area
 24 education agencies shall combine payments made to teachers
 25 under sections 257.10 and 257.37A with regular wages to
 26 create a combined salary. The teacher contract issued under
 27 section 279.13 must include the combined salary. If a school
 28 district or area education agency uses a salary schedule, a
 29 combined salary schedule shall be used for regular wages and
 30 for distribution of payments under sections 257.10 and 257.37A,
 31 incorporating the salary minimums required in section 284.7
 32 or 284.15. The combined salary schedule must use only the
 33 combined salary and cannot differentiate regular salaries and
 34 distribution of payments under sections 257.10 and 257.37A.

35 Sec. 80. Section 284.5, subsection 2, Code 2013, is amended

1 by striking the subsection.

2 Sec. 81. Section 284.5, subsection 4, Code 2013, is amended
3 to read as follows:

4 4. Each school district and area education agency shall
5 ~~develop an initial beginning teacher mentoring and induction~~
6 a plan for the program. A school district shall include its
7 plan in the school district's comprehensive school improvement
8 plan submitted pursuant to section 256.7, subsection 21. The
9 ~~beginning teacher mentoring and induction~~ plan shall, at a
10 minimum, provide for a two-year sequence of induction program
11 content and activities to support the Iowa teaching standards
12 and beginning teacher professional and personal needs; mentor
13 training that includes, at a minimum, skills of classroom
14 demonstration and coaching, and district expectations for
15 beginning teacher competence on Iowa teaching standards;
16 placement of mentors and beginning teachers; the process for
17 dissolving mentor and beginning teacher partnerships; district
18 organizational support for release time for mentors and
19 beginning teachers to plan, provide demonstration of classroom
20 practices, observe teaching, and provide feedback; structure
21 for mentor selection and assignment of mentors to beginning
22 teachers; a district facilitator; and program evaluation.

23 Sec. 82. Section 284.6, subsections 6 and 8, Code 2013, are
24 amended to read as follows:

25 6. School districts, a consortium of school districts,
26 area education agencies, higher education institutions,
27 and other public or private entities including professional
28 associations may be approved by the state board to provide
29 teacher professional development. The professional development
30 program or offering shall, at minimum, meet the requirements
31 of subsection 1. ~~The state board shall adopt rules for the~~
32 ~~approval of professional development providers and standards~~
33 ~~for the district development plan.~~

34 8. For each year in which a school district receives funds
35 calculated and paid to school districts for professional

1 development pursuant to section 257.10, subsection 10, or
2 section 257.37A, subsection 2, the school district shall create
3 quality professional development opportunities. Not less than
4 thirty-six hours in the school calendar, held outside of the
5 minimum school day, shall be set aside during nonpreparation
6 time or designated professional development time to allow
7 practitioners to collaborate with each other to deliver
8 educational programs and assess student learning, ~~or to engage~~
9 ~~in peer review pursuant to section 284.8, subsection 1.~~ The
10 ~~goal for the use of the funds is to provide one additional~~
11 ~~contract day or the equivalent thereof for professional~~
12 ~~development, and~~ Priority for use of the funds is shall be
13 to implement the professional development provisions of the
14 teacher career paths and leadership roles specified in section
15 284.7 or 284.15, including but not limited to providing
16 professional development to teachers, including additional
17 salaries for time beyond the normal negotiated agreement; pay
18 for substitute teachers, professional development materials,
19 speakers, and professional development content; and costs
20 associated with implementing the individual professional
21 development plans. The use of the funds shall be balanced
22 between school district, attendance center, and individual
23 professional development plans, making every reasonable effort
24 to provide equal access to all teachers.

25 Sec. 83. Section 284.7, Code 2013, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 6. This section is repealed July 1, 2016.

28 Sec. 84. Section 284.8, subsection 1, Code 2013, is amended
29 to read as follows:

30 1. A school district shall provide for an annual review of
31 each teacher's performance for purposes of assisting teachers
32 in making continuous improvement, documenting continued
33 competence in the Iowa teaching standards, or identifying
34 teachers in need of improvement, ~~or to determine whether the~~
35 ~~teacher's practice meets school district expectations for~~

~~1 career advancement in accordance with section 284.7. The~~
~~2 review shall include, at minimum, classroom observation~~
~~3 of the teacher, a balanced use of student outcome measures~~
~~4 comprised of objective, reliable measures of student growth,~~
~~5 student surveys, the teacher's progress, and implementation~~
~~6 of the teacher's individual professional development plan,~~
~~7 ~~subject to the level of resources provided to implement~~~~
~~8 the plan; and shall include supporting documentation from~~
~~9 parents, students, and other teachers. The first year of~~
~~10 review shall be a performance review and the second year and~~
~~11 third years of review shall be ~~conducted by a peer group of~~~~
~~12 teachers focused on the professional development plan developed~~
~~13 pursuant to section 284.6. The ~~peer group shall review~~~~
~~14 all of the peer group members. Peer group reviews shall be~~
~~15 formative and shall be conducted on an informal, collaborative~~
~~16 basis that is focused on assisting each peer group member in~~
~~17 achieving the goals of the teacher's individual professional~~
~~18 development plan. Peer group reviews shall not be the basis~~
~~19 for recommending that a teacher participate in an intensive~~
~~20 assistance program, and shall not be used to determine the~~
~~21 compensation, promotion, layoff, or termination of a teacher,~~
~~22 or any other determination affecting a teacher's employment~~
~~23 status. However, as a result of a peer group review, a teacher~~
~~24 may elect to participate in an intensive assistance program.~~
~~25 Members of the peer group shall be reviewed every third year~~
~~26 by at least one evaluator certified in accordance with section~~
~~27 284.10.~~

28 Sec. 85. Section 284.8, subsection 3, Code 2013, is amended
 29 by striking the subsection.

30 Sec. 86. Section 284.9, subsection 4, Code 2013, is amended
 31 to read as follows:

32 4. A teacher who does not receive a recommendation from a
 33 review panel may appeal that denial to an administrative law
 34 judge located in the department of inspections and appeals.
 35 The state shall not be liable for a teacher's attorney fees,

1 costs, or damages that may result from an appeal of a review
2 panel's decision. ~~The state board shall adopt rules to~~
3 ~~administer this section.~~

4 Sec. 87. Section 284.9, Code 2013, is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. 5. This section is repealed July 1, 2016.

7 Sec. 88. NEW SECTION. **284.11 State supplemental assistance**
8 **for high-need schools.**

9 1. *Findings and intent.* The general assembly finds that
10 students whose first language is not English, who have special
11 needs, or who come from low-income backgrounds face potential
12 obstacles to learning. Schools across Iowa, both urban and
13 rural, have increasing numbers of students who face these
14 challenges. Therefore, it is the intent of the general
15 assembly to provide supplemental assistance to the highest-need
16 schools in Iowa to address these challenges. This section
17 provides for state assistance to allow school districts to
18 develop extended learning time programs, hire instructional
19 support staff, provide additional professional development, or
20 supplement the salary of teachers in the identified schools.

21 2. *Department's responsibilities.* The department shall do
22 the following:

23 a. Collect relevant data and establish a list of high-need
24 schools eligible for state supplemental assistance. The
25 department shall establish a process and criteria to determine
26 which schools are placed on the list and the department shall
27 revise the list annually. Criteria for the determination of
28 which high-need schools shall be placed on the list shall be
29 based upon factors that include but are not limited to the
30 socioeconomic status of the students enrolled in the school,
31 the percentage of the school's student body who are limited
32 English proficient students, student academic growth, certified
33 instructional staff attrition, and geographic balance. The
34 department may approve or disapprove requests for revision
35 of the list, which a school district submits pursuant to

1 subsection 3.

2 *b.* Develop a standardized process for distributing moneys
3 appropriated for supplemental assistance for teachers in
4 high-need schools under section 284.13, subsection 1, paragraph
5 "00e", to school districts. In determining the process
6 for distribution of such moneys, the department shall take
7 into consideration the amount of moneys appropriated for
8 supplemental assistance in high-need schools for the given
9 year and the minimal amount of moneys needed to increase the
10 academic achievement of students. A school district receiving
11 moneys pursuant to this section shall certify annually to the
12 department how the moneys distributed to the school district
13 pursuant to this section were used by the school district.

14 *c.* Review the use and effectiveness of the funds distributed
15 to school districts for supplemental assistance in high-need
16 schools under this section, and consider the findings and
17 recommendations of the commission on educator leadership
18 and compensation submitted pursuant to section 284.15,
19 subsection 11, relating to the use and effectiveness of the
20 funds distributed to school districts under this section. The
21 department shall submit its findings and recommendations in a
22 report to the general assembly by January 15 annually.

23 3. *School district request for approval.* A school district
24 may request on an annual basis approval from the department
25 for additions to the list of high-need schools the department
26 maintains pursuant to subsection 2 based upon the unique local
27 conditions and needs of the school district. The criteria used
28 to determine the placement of high-need schools on the list in
29 accordance with subsection 2, does not restrict the department
30 from adding a high-need school to the list as requested by a
31 school district on the basis of unique local conditions and
32 needs pursuant to this subsection.

33 4. *Moneys received and miscellaneous income.* The
34 distribution of moneys allocated pursuant to section 284.13,
35 subsection 1, paragraph "00e", to a school district shall be

1 made in one payment on or about October 15 of the fiscal year
2 for which the appropriation is made, taking into consideration
3 the relative budget and cash position of the state resources.
4 Such moneys shall not be commingled with state aid payments
5 made under section 257.16 to a school district and shall be
6 accounted for by the local school district separately from
7 state aid payments. Payments made to school districts under
8 this section are miscellaneous income for purposes of chapter
9 257. A school district shall maintain a separate listing
10 within its budget for payments received and expenditures made
11 pursuant to this section.

12 5. *Moneys received to supplement salaries.* Moneys received
13 by a school district pursuant to section 284.13, subsection 1,
14 paragraph "00e", shall be used to supplement and not supplant
15 the salary being received by a teacher in a high-need school,
16 and shall not be considered under chapter 20 by an arbitrator
17 or other third party in determining a comparison of the wages
18 of teachers in that high-need school with the wages of teachers
19 in other buildings or in another school district.

20 Sec. 89. Section 284.13, subsection 1, Code 2013, is amended
21 by adding the following new paragraphs:

22 NEW PARAGRAPH. *0e.* (1) For the following years, to the
23 department of education, for purposes of teacher leadership
24 supplemental aid payments to school districts for implementing
25 the career paths, leadership roles, and compensation framework
26 or comparable system approved in accordance with section
27 284.15, the following amounts:

28 (a) For the fiscal year beginning July 1, 2013, and ending
29 June 30, 2014, five million dollars.

30 (b) For the fiscal year beginning July 1, 2014, and ending
31 June 30, 2015, fifty million dollars.

32 (c) For the fiscal year beginning July 1, 2015, and ending
33 June 30, 2016, fifty million dollars.

34 (d) For the fiscal year beginning July 1, 2016, and ending
35 June 30, 2017, fifty million dollars.

1 (e) For the fiscal year beginning July 1, 2017, and for
2 each succeeding fiscal year, one million five hundred thousand
3 dollars.

4 (2) (a) For the initial school year for which a school
5 district receives department approval for and implements a
6 system in accordance with section 284.15, subsection 8, teacher
7 leadership supplement foundation aid payable to that school
8 district shall be paid from the allocation made in subparagraph
9 (1) for that school year. For that school year, the teacher
10 leadership supplement foundation aid payable to the school
11 district is the product of the teacher leadership district
12 cost per pupil for the school year multiplied by the school
13 district's budget enrollment.

14 (b) For budget years subsequent to the initial school year
15 for which a school district implemented a system and received
16 funding pursuant to subparagraph division (a), the teacher
17 leadership supplement foundation aid payable to that school
18 district shall be paid from the appropriation made in section
19 257.16.

20 (3) Of the moneys allocated to the department for the
21 purposes of this paragraph "0e", not more than one million
22 dollars shall be used by the department for the development of
23 a delivery system implementing the career paths and leadership
24 roles specified in section 284.15 including but not limited
25 to planning grants to districts and area education agencies,
26 technical assistance for the department, technical assistance
27 for districts and area education agencies, training and staff
28 development, and the contracting of external expertise and
29 services. A portion of the moneys allocated annually to the
30 department for purposes of this subparagraph (3) may be used
31 by the department for administrative purposes and for not more
32 than five full-time equivalent positions.

33 (4) Of the moneys allocated to the department for the
34 purposes of this paragraph "0e", not more than five hundred
35 thousand dollars annually shall be used by the department to

1 provide technical assistance to school districts and area
2 education agencies in the design and implementation of the
3 teacher career paths, leadership roles, and compensation
4 framework established pursuant to section 284.15, and
5 for not more than two full-time equivalent positions. In
6 allocating and expending moneys appropriated pursuant to this
7 subparagraph, the department shall give priority to school
8 districts with certified enrollments of fewer than six hundred
9 students.

10 (5) Of the moneys allocated to the department for purposes
11 of this paragraph "0e", for each fiscal year of the fiscal
12 period beginning July 1, 2014, and ending June 30, 2017, the
13 amount remaining after the allocations in subparagraphs (3)
14 and (4) shall be payable to the school districts that have
15 an approved career path, leadership roles, and compensation
16 framework or approved comparable system as provided in section
17 284.15.

18 (6) For each fiscal year of the fiscal period beginning
19 July 1, 2013, and ending June 30, 2017, moneys received by a
20 school district pursuant to this paragraph "0e" shall not be
21 considered under chapter 20 by an arbitrator or other third
22 party in determining a comparison of the wages of teachers in
23 that school district with the wages of teachers in another
24 school district.

25 (7) The receipt of funding by a school district for the
26 purposes of this paragraph "0e", and the need for additional
27 funding for the purposes of this paragraph "0e", or the
28 enrollment count of eligible students under this chapter,
29 shall not be considered to be unusual circumstances, create an
30 unusual need for additional funds, or qualify under any other
31 circumstances that may be used by the school budget review
32 committee to grant supplemental aid to or establish modified
33 supplemental state aid for a school district under section
34 257.31.

35 NEW PARAGRAPH. 00e. For the fiscal year beginning July 1,

1 2014, and for each subsequent fiscal year, to the department
2 of education, ten million dollars for purposes of implementing
3 the supplemental assistance for high-need schools provisions
4 of section 284.11. Annually, of the moneys allocated to
5 the department for purposes of this paragraph, up to one
6 hundred thousand dollars may be used by the department for
7 administrative purposes and for not more than one full-time
8 equivalent position.

9 Sec. 90. Section 284.13, subsection 1, paragraph e, Code
10 2013, is amended to read as follows:

11 e. Notwithstanding section 8.33, any moneys remaining
12 unencumbered or unobligated from the moneys allocated for
13 purposes of ~~paragraph~~ paragraphs "a", "b", or "c" through "00e"
14 shall not revert but shall remain available in the succeeding
15 fiscal year for expenditure for the purposes designated.
16 The provisions of section 8.39 shall not apply to the funds
17 appropriated pursuant to this subsection.

18 Sec. 91. Section 284.13, Code 2013, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 3. The state board may adopt rules which
21 assure the allocation of resources under this section in a
22 manner that optimizes the fulfillment of the purposes specified
23 in sections 284.11 and 284.15.

24 Sec. 92. NEW SECTION. 284.15 **Iowa teacher career paths,**
25 **leadership roles, and compensation framework.**

26 1. To promote continuous improvement in Iowa's quality
27 teaching workforce and to give Iowa teachers the opportunity
28 for career recognition that reflects the various roles teachers
29 play as educational leaders, a framework for Iowa teacher
30 career paths, leadership roles, and compensation is established
31 for teachers employed by school districts. A teacher employed
32 by an area education agency may be included in a framework
33 established by a school district if the area education agency
34 and the school district enter into a contract for such purpose.
35 The framework is designed to accomplish the following goals:

1 *a.* To attract able and promising new teachers by offering
2 competitive starting salaries and offering short-term
3 and long-term professional development and leadership
4 opportunities.

5 *b.* To retain effective teachers by providing enhanced career
6 opportunities.

7 *c.* To promote collaboration by developing and supporting
8 opportunities for teachers in schools and school districts
9 statewide to learn from each other.

10 *d.* To reward professional growth and effective teaching
11 by providing pathways for career opportunities that come with
12 increased leadership responsibilities and involve increased
13 compensation.

14 *e.* To improve student achievement by strengthening
15 instruction.

16 2. The Iowa teacher career paths, leadership roles, and
17 compensation requirements under the framework shall be as
18 follows:

19 *a.* Initial teacher.

20 (1) The salary for an initial teacher who has successfully
21 completed an approved practitioner preparation program as
22 defined in section 272.1 or holds an initial or intern teacher
23 license issued under chapter 272, and who participates in the
24 initial teacher mentoring and induction program as provided in
25 this chapter, shall be at least thirty-two thousand dollars,
26 which shall also constitute the minimum salary for an Iowa
27 teacher.

28 (2) An initial teacher shall complete a teacher residency
29 during the first year of employment that has all of the
30 following characteristics:

31 (i) Intensive supervision or mentoring by a mentor teacher
32 or lead teacher.

33 (ii) Sufficient collaboration time for the initial teacher
34 in the residency year to be able to observe and learn from
35 model teachers, mentor teachers, and lead teachers employed by

1 school districts located in this state.

2 (c) A teaching contract issued under section 279.13 that
3 establishes an employment period which is five days longer
4 than that required for career teachers employed by the school
5 district of employment. The five additional contract days
6 shall be used to strengthen instructional leadership in
7 accordance with this subsection.

8 (d) Frequent observation, evaluation, and professional
9 development opportunities.

10 *b.* Career teacher. A career teacher is a teacher who holds
11 a statement of professional recognition issued under chapter
12 272 or who meets all of the following requirements:

13 (1) Has successfully completed the initial teacher
14 mentoring and induction program and has successfully completed
15 a comprehensive evaluation.

16 (2) Has demonstrated the competencies of a career teacher as
17 determined under the school district's comprehensive evaluation
18 of the initial teacher.

19 (3) Holds a valid license issued under chapter 272.

20 (4) Participates in teacher professional development as set
21 forth in this chapter and demonstrates continuous improvement
22 in teaching.

23 *c.* Model teacher. A model teacher is a teacher who meets
24 the requirements of paragraph "b", has met the requirements
25 established by the school district that employs the teacher,
26 is evaluated by the school district as demonstrating the
27 competencies of a model teacher, has participated in a rigorous
28 review process, and has been recommended for a one-year
29 assignment as a model teacher by a site-based review council
30 appointed pursuant to subsection 4. A school district shall
31 designate at least ten percent of its teachers as model
32 teachers, though the district may enter into an agreement with
33 one or more other districts or an area education agency to meet
34 this requirement through a collaborative arrangement. The
35 terms of the teaching contracts issued under section 279.13 to

1 model teachers shall exceed by five days the terms of teaching
2 contracts issued under section 279.13 to career teachers, and
3 the five additional contract days shall be used to strengthen
4 instructional leadership in accordance with this subsection. A
5 model teacher shall receive annually a salary supplement of at
6 least two thousand dollars.

7 *d.* Mentor teacher. A mentor teacher is a teacher who
8 is evaluated by the school district as demonstrating the
9 competencies and superior teaching skills of a mentor teacher,
10 and has been recommended for a one-year assignment as a mentor
11 teacher by a site-based review council appointed pursuant
12 to subsection 4. In addition, a mentor teacher shall hold
13 a valid license issued under chapter 272, participate in
14 teacher professional development as outlined in this chapter,
15 demonstrate continuous improvement in teaching, and possess
16 the skills and qualifications to assume leadership roles. A
17 mentor teacher shall have a teaching load of not more than
18 seventy-five percent student instruction to allow the teacher
19 to mentor other teachers. A school district shall designate
20 at least ten percent of its teachers as mentor teachers,
21 though the district may enter into an agreement with one or
22 more other districts or an area education agency to meet this
23 requirement through a collaborative arrangement. The terms
24 of the teaching contracts issued under section 279.13 to
25 mentor teachers shall exceed by ten days the terms of teaching
26 contracts issued under section 279.13 to career teachers, and
27 the ten additional contract days shall be used to strengthen
28 instructional leadership in accordance with this subsection. A
29 mentor teacher shall receive annually a salary supplement of
30 at least five thousand dollars.

31 *e.* Lead teacher. A lead teacher is a teacher who holds a
32 valid license issued under chapter 272 and has been recommended
33 for a one-year assignment as a lead teacher by a site-based
34 review council appointed pursuant to subsection 4. The
35 recommendation from the council must assert that the teacher

1 possesses superior teaching skills and the ability to lead
2 adult learners. A lead teacher shall assume leadership
3 roles that may include but are not limited to the planning
4 and delivery of professional development activities designed
5 to improve instructional strategies; the facilitation of
6 an instructional leadership team within the lead teacher's
7 building, school district, or other school districts;
8 the mentoring of other teachers; and participation in the
9 evaluation of student teachers. A lead teacher shall have
10 a teaching load of not more than fifty percent student
11 instruction to allow the lead teacher to spend time on
12 co-teaching; co-planning; peer reviews; observing career
13 teachers, model teachers, and mentor teachers; and other
14 duties mutually agreed upon by the superintendent and the lead
15 teacher. A school district shall designate at least five
16 percent of its teachers as lead teachers, though the district
17 may enter into an agreement with one or more other districts
18 or an area education agency to meet this requirement through a
19 collaborative arrangement. The terms of the teaching contracts
20 issued under section 279.13 to lead teachers shall exceed by
21 fifteen days the terms of teaching contracts issued under
22 section 279.13 to career teachers, and the fifteen additional
23 contract days shall be used to strengthen instructional
24 leadership in accordance with this subsection. A lead teacher
25 shall receive annually a salary supplement of at least ten
26 thousand dollars.

27 3. The salary supplement received by model, mentor, and lead
28 teachers shall fully cover the salary costs of the additional
29 contract days required of teachers in those leadership roles.
30 Notwithstanding any provision of law to the contrary, the
31 determinations of salary supplements paid pursuant to this
32 section are not subject to appeal.

33 4. The school board shall appoint a site-based review
34 council for the district's attendance centers. Attendance
35 centers may share a site-based review council if the

1 appointments meet the requirements specified in paragraph "a".

2 *a.* Each council shall be comprised of equal numbers of
3 teachers, administrators, and parents or guardians of students
4 enrolled in the attendance center.

5 *b.* The council shall accept and review applications
6 submitted to the school's or the school district's
7 administration for assignment or reassignment as a model,
8 mentor, or lead teacher, and shall make recommendations
9 regarding the applications to the superintendent of the school
10 district. In developing recommendations, the council shall
11 utilize measures of teacher effectiveness and professional
12 growth, consider the needs of the school district, and review
13 the performance and professional development of the applicants.
14 Any teacher recommended for assignment or reassignment as a
15 model, mentor, or lead teacher shall have demonstrated to
16 the council's satisfaction competency on the Iowa teaching
17 standards as set forth in section 284.3.

18 *c.* An assignment as a model teacher, mentor teacher, or
19 lead teacher pursuant to this section shall be subject to
20 review by the school's or the school district's administration
21 at least annually. The review shall include peer feedback
22 on the effectiveness of the teacher's performance of duty
23 specific to the teacher's career path. A teacher who completes
24 the time period of assignment as a model, mentor, or lead
25 teacher may apply to the school's or the school district's
26 administration for assignment in a new role if appropriate or
27 for reassignment.

28 5. A teacher employed in a school district shall not receive
29 less compensation in that district than the teacher received
30 in the school year preceding participation, as set forth in
31 section 284.4, due to implementation of this Act. A teacher
32 who achieves national board for professional teaching standards
33 certification and meets the requirements of section 256.44
34 shall continue to receive the award as specified in section
35 256.44 in addition to the compensation set forth in this

1 section.

2 6. *a.* A school district may apply to the department for
3 approval to implement the career paths, leadership roles,
4 and compensation framework specified in subsection 2, or a
5 comparable system of career paths and compensation for teachers
6 that contains differentiated multiple leadership roles.

7 *b.* By March 1 of the school year preceding implementation,
8 a school district that has been approved to implement the
9 framework or a comparable system pursuant to this subsection
10 may opt out of implementation of the framework or comparable
11 system by notifying the department of its intent to withdraw
12 from implementation. The department shall notify the
13 department of management that the school district is no longer
14 approved to implement the framework or comparable system and
15 is not eligible to receive teacher leadership supplement
16 foundation aid under chapter 257 or this chapter.

17 7. The department shall establish criteria and a process
18 for application and approval of the framework established
19 under subsection 1, and for comparable systems, which a school
20 district may implement pursuant to subsection 6 in order to
21 receive teacher leadership supplement foundation aid calculated
22 under section 257.10, subsection 12.

23 8. A school district that meets the requirements of section
24 284.7 is exempt from the provisions of subsections 1 through 5
25 until the school district receives approval to implement the
26 framework or comparable system in accordance with subsection 7.

27 9. A school district is encouraged to utilize appropriately
28 licensed teachers emeritus in the implementation of this
29 section.

30 10. The framework or comparable system approved and
31 implemented by a school district in accordance with this
32 section shall be applicable to teachers in every attendance
33 center operated by the school district.

34 11. Subject to an appropriation by the general assembly for
35 purposes of this subsection, a school district may apply to the

1 department for a planning grant to design an implementation
2 strategy for the framework established pursuant to subsection
3 1 or a comparable system of career paths and compensation for
4 teachers that contains differentiated multiple leadership
5 roles. The planning grant shall be used to facilitate a
6 local decision-making process that includes representation
7 of administrators, teachers, and parents and guardians of
8 students. The department shall establish and make available an
9 application for the awarding of planning grants for purposes
10 of this subsection.

11 12. The department shall establish, and provide staffing
12 and administrative support for a commission on educator
13 leadership and compensation. The commission shall monitor
14 with fidelity the implementation of the framework established
15 by school districts pursuant to subsection 1. The commission
16 shall also evaluate and make recommendations to the department
17 on applications for approval of a comparable system submitted
18 to the department pursuant to subsection 6, and on the
19 expenditure of moneys appropriated for purposes of this
20 section. In addition, the commission shall review the use and
21 effectiveness of the funds distributed to school districts for
22 supplemental assistance to teachers in high-need schools under
23 section 284.11.

24 *a.* The commission shall be comprised of teachers, parents
25 and guardians of children enrolled in Iowa's school districts,
26 school administrators, school board members, postsecondary
27 faculty, designees representing education-related professional
28 organizations, and business and community leaders.

29 *b.* Members shall be appointed by the governor, subject to
30 confirmation by the senate, to staggered three-year terms which
31 begin and end as provided in section 69.19. Appointments shall
32 comply with sections 69.16, 69.16A, and 69.16C. Vacancies
33 on the commission shall be filled in the same manner as the
34 original appointment. A person appointed to fill a vacancy
35 shall serve only for the unexpired portion of the term.

1 Members are entitled to reimbursement of actual expenses
2 incurred in performance of their official duties.

3 *c.* By December 15 annually, the commission shall submit its
4 findings and any recommendations, including but not limited to
5 any recommendations for changes to the framework established
6 in subsection 1 and for changes to section 284.11 relating to
7 state supplemental assistance to high-need schools, in a report
8 to the director, the state board, the governor, and the general
9 assembly.

10 13. *a.* Teacher leadership supplement foundation aid
11 calculated under section 257.10, subsection 12, shall be paid
12 as part of the state aid payments made to school districts in
13 accordance with section 257.16.

14 *b.* Notwithstanding section 284.3A, teacher leadership
15 supplement foundation aid shall not be combined with regular
16 wages to create a combined salary.

17 *c.* The teacher leadership supplement district cost as
18 calculated under section 257.10, subsection 12, is not subject
19 to a uniform reduction in accordance with section 8.31.

20 14. The provisions of this chapter shall be subject to
21 legislative review at least every three years. The review
22 shall be based upon a status report from the commission
23 on educator leadership and compensation, which shall be
24 prepared with the assistance of the departments of education,
25 management, and revenue. The status report shall review and
26 report on the department's assignment and utilization of
27 full-time equivalent positions, and shall include information
28 on teacher retention, teacher compensation, academic quality
29 of beginning teachers, teacher evaluation results, student
30 achievement trend and comparative data, and recommendations
31 for changes to the teacher leadership supplement foundation
32 aid and the framework or comparable systems approved pursuant
33 to this section. The first status report shall be submitted
34 to the general assembly by January 15, 2017, with subsequent
35 status reports prepared and submitted to the general assembly

1 by January 15 at least every third year thereafter.

2 Sec. 93. ATTENDANCE CENTER PERFORMANCE RANKINGS —
3 PERFORMANCE INDEX.

4 1. The department of education shall develop criteria and
5 a process for school districts to use to establish specific
6 performance goals and to evaluate the performance of each
7 attendance center operated by the district in order to arrive
8 at an overall school performance grade and report card for
9 each attendance center. This information must be posted on
10 the department of education's internet site with information
11 for each attendance center listed separately. The criteria
12 shall include but not be limited to student academic growth,
13 parent involvement, student attendance, employee turnover, and
14 community activities and involvement.

15 2. The department shall develop an achievement score
16 that calculates aggregate growth as well as aggregate
17 proficiency of students which when combined with other
18 academic indicators results in an overall school performance
19 grade for each attendance center in the school district.
20 The performance grade may also be used as one measure to
21 rank and classify schools into six different performance
22 categories: exceptional, A+; high performing, A; commendable,
23 B; acceptable, C; needs improvement, D; and priority, D-.
24 The categories may be used to define support and specialized
25 assistance to schools classified as needs improvement or
26 priority as well as to recognize schools designated exceptional
27 or high performing. Additionally, a closing gap score shall
28 be calculated as another measure to determine subgroup
29 performance and to rank and classify attendance centers. Other
30 academic indicators shall be defined as criterion referenced
31 variables that will be utilized in the calculation of the
32 performance grade. Other academic indicators shall include
33 but not be limited to graduation rates, attendance rates, and
34 college-readiness rates. Additional indicators of academic
35 success and progress may include post-graduation data,

1 suspension and expulsion rates, levels of student engagement,
2 parent satisfaction, parent engagement, and staff working
3 conditions.

4 3. The department shall submit its findings and
5 recommendations in a report to the state board of education,
6 the governor, and the general assembly by November 15, 2013.

7 Sec. 94. CODE EDITOR DIRECTIVE. The Code editor shall
8 delete references in the Code, and Code language directly
9 related to the references, to sections and subsections of the
10 Code repealed by this division of this Act effective July 1,
11 2016.

12 Sec. 95. EFFECTIVE DATE. The following provision or
13 provisions of this division of this Act take effect July 1,
14 2014:

15 1. The section of this division of this Act amending section
16 282.18.

17 DIVISION VIII

18 COMPETENCY-BASED INSTRUCTION TASK FORCE

19 Sec. 96. 2012 Iowa Acts, chapter 1119, section 2, subsection
20 2, is amended by adding the following new paragraph:

21 NEW PARAGRAPH. *f.* Develop a draft strategic plan
22 and proposed timeline for statewide implementation of
23 competency-based learning for consideration by the general
24 assembly.

25 Sec. 97. EFFECTIVE UPON ENACTMENT. This division of this
26 Act, being deemed of immediate importance, takes effect upon
27 enactment.

28 DIVISION IX

29 EXTENDED LEARNING TIME PILOT PROJECT MODEL — APPROPRIATION

30 Sec. 98. EXTENDED LEARNING TIME PILOT PROJECT MODEL.

31 1. The department of education shall develop a proposed
32 model for an extended learning time pilot project. In
33 developing the model, the department shall consider the
34 recommendations submitted in the final report of the
35 instructional time task force, as well as existing, successful

1 extended time learning opportunities offered within and
2 outside of the state. Three program proposals representing
3 school districts of varied sizes, geographical locations,
4 and socio-economic status shall be included in the model.
5 Component measures, criteria, and associated benchmarks for
6 selecting participants and gauging success for the model shall
7 include but not be limited to the following considerations:
8 impact on student achievement; overall cost; governance
9 structure; transportation issues; recommended age of students;
10 potential use of teacher preparation candidates; 21st
11 century learning center guidelines as applicable; potential
12 collaboration with area education agencies and other public
13 and private partners for cost effectiveness, efficiency,
14 and community involvement; recommended staffing levels;
15 licensure for staff; involvement of nonprofit organizations;
16 collaboration with the staff in the existing school district;
17 whether all of some students in a district should participate;
18 and use of best practices and latest research in the field.
19 The department shall also recommend potential funding sources
20 for the full implementation of the proposed model for extended
21 learning time pilot projects and of future sustained extended
22 time learning efforts.

23 2. The department shall submit the proposed model and
24 the department's findings and recommendations in a report to
25 the state board of education, the governor, and the general
26 assembly by December 16, 2013.

27 Sec. 99. EXTENDED LEARNING TIME PILOT PROJECT MODEL —
28 APPROPRIATION. There is appropriated from the general fund of
29 the state to the department of education for the fiscal year
30 beginning July 1, 2013, and ending June 30, 2014, the following
31 amount, or so much thereof as is necessary, to be used for the
32 purposes designated:

33 For purposes of developing an extended learning time pilot
34 project model in accordance with this division of this Act, if
35 enacted:

1 \$ 40,000

2 DIVISION X

3 TRANSPORTATION ASSISTANCE AID

4 Sec. 100. Section 257.31, subsection 17, paragraph a, Code
5 2013, is amended to read as follows:

6 a. If a district's average transportation costs per pupil
7 exceed the state average transportation costs per pupil
8 determined under paragraph "c" by ~~one hundred fifty~~ seventy
9 percent, the committee may grant transportation assistance aid
10 to the district. Such aid shall be miscellaneous income and
11 shall not be included in district cost.

12 Sec. 101. APPLICABILITY. This division of this Act applies
13 to school budget years beginning on or after July 1, 2014.

14 DIVISION XI

15 PRIVATE INSTRUCTION EXEMPTION

16 Sec. 102. Section 299.4, subsection 1, Code 2013, is amended
17 to read as follows:

18 1. The parent, guardian, or legal custodian of a child who
19 is of compulsory attendance age, who places the child under
20 competent private instruction under ~~either~~ section 299A.2 ~~or~~
21 ~~299A.3~~, not in an accredited school or a home school assistance
22 program operated by a school district or accredited nonpublic
23 school, shall furnish a report in duplicate on forms provided
24 by the public school district, to the district by the earliest
25 starting date specified in section 279.10, subsection 1. The
26 secretary shall retain and file one copy and forward the other
27 copy to the district's area education agency. The report shall
28 state the name and age of the child, the period of time during
29 which the child has been or will be under competent private
30 instruction for the year, an outline of the course of study,
31 texts used, and the name and address of the instructor. The
32 parent, guardian, or legal custodian of a child, who is placing
33 the child under competent private instruction for the first
34 time, shall also provide the district with evidence that the
35 child has had the immunizations required under section 139A.8,

1 and, if the child is elementary school age, a blood lead test
2 in accordance with section 135.105D. The term "outline of course
3 of study" shall include subjects covered, lesson plans, and time
4 spent on the areas of study.

5 Sec. 103. Section 299A.1, unnumbered paragraph 2, Code
6 2013, is amended to read as follows:

7 For purposes of this chapter, "competent private instruction"
8 means private instruction provided on a daily basis for at
9 least one hundred forty-eight days during a school year, to be
10 met by attendance for at least thirty-seven days each school
11 quarter, by or under the supervision of a licensed practitioner
12 in the manner provided under section 299A.2, ~~or other person~~
13 ~~under section 299A.3~~, which results in the student making
14 adequate progress.

15 Sec. 104. Section 299A.3, unnumbered paragraph 1, Code
16 2013, is amended to read as follows:

17 A parent, guardian, or legal custodian of a child of
18 compulsory attendance age providing ~~competent~~ private
19 instruction to the child ~~shall~~ may meet all of the following
20 requirements:

21 DIVISION XII

22 INDEPENDENT ACCREDITATION OF NONPUBLIC SCHOOLS

23 Sec. 105. Section 256.11, Code 2013, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 16. a. Notwithstanding subsections 1
26 through 12, a nonpublic school may be accredited by an approved
27 independent accrediting agency instead of by the state board as
28 provided in this subsection. The state board shall maintain a
29 list of approved independent accrediting agencies comprised of
30 at least six regional or national nonprofit, nongovernmental
31 agencies recognized as reliable authorities concerning the
32 quality of education offered by a school and shall publish the
33 list of independent accrediting agencies on the department's
34 internet site. The list shall include accrediting agencies
35 that, as of January 1, 2013, accredited a nonpublic school in

1 this state that was concurrently accredited under this section;
 2 and any agency that has a formalized partnership agreement with
 3 another agency on the list and has member schools in this state
 4 as of January 1, 2013.

5 *b.* A nonpublic school that participates in the accreditation
 6 process offered by an independent accrediting agency on
 7 the approved list published pursuant to paragraph "a" shall
 8 be deemed to meet the education standards of this section.
 9 However, such a school shall comply with statutory health and
 10 safety requirements for school facilities.

11 *c.* If the state board takes preliminary action to remove
 12 an agency from the approved list published on the department's
 13 internet site pursuant to paragraph "a", the department
 14 shall, at least one year prior to removing the agency from
 15 the approved list, notify the nonpublic schools participating
 16 in the accreditation process offered by the agency of the
 17 state board's intent to remove the accrediting agency from
 18 its approved list of independent accrediting agencies. The
 19 notice shall also be posted on the department's internet site
 20 and shall contain the proposed date of removal. The nonpublic
 21 school shall attain accreditation under this subsection or
 22 subsections 1 through 12 not later than one year following the
 23 date on which the state board removes the agency from its list
 24 of independent accrediting agencies.

25 DIVISION XIII

26 SCHOOL DISTRICT EXERCISE OF POWERS

27 Sec. 106. NEW SECTION. 274.3 Exercise of powers —
 28 construction.

29 1. The board of directors of a school district shall
 30 operate, control, and supervise all public schools located
 31 within its district boundaries and may exercise any broad
 32 and implied power related to the operation, control, and
 33 supervision of those public schools except as expressly
 34 prohibited or prescribed by the Constitution of the State of
 35 Iowa or by statute.

1 2. Notwithstanding subsection 1, the board of directors of
2 a school district shall not have power to levy any tax unless
3 expressly authorized by the general assembly.

4 3. This section shall not apply to a research and
5 development school as defined in section 256G.2 or to a
6 laboratory school as defined in section 265.1. The board of
7 directors of a school district in which such a research and
8 development school or laboratory school is located shall not
9 exercise over such a school any powers granted to the board by
10 subsection 1.

11 4. This chapter, chapter 257 and chapters 275 through 301,
12 and other statutes relating to the boards of directors of
13 school districts and to school districts shall be liberally
14 construed to effectuate the purposes of subsection 1.

15 DIVISION XIV

16 INDEPENDENT PRIVATE INSTRUCTION

17 Sec. 107. Section 261E.8, subsection 2, Code 2013, is
18 amended to read as follows:

19 2. Students from accredited nonpublic schools and students
20 receiving competent private instruction or independent private
21 instruction under chapter 299A may access the program through
22 the school district in which the accredited nonpublic school or
23 private institution is located.

24 Sec. 108. Section 299.1, subsection 1, Code 2013, is amended
25 to read as follows:

26 1. Except as provided in section 299.2, the parent,
27 guardian, or legal or actual custodian of a child who is of
28 compulsory attendance age, shall cause the child to attend some
29 public school, or an accredited nonpublic school, or place
30 the child under competent private instruction or independent
31 private instruction in accordance with the provisions of
32 chapter 299A, during a school year, as defined under section
33 279.10.

34 Sec. 109. Section 299.1B, Code 2013, is amended to read as
35 follows:

1 **299.1B Failure to attend — driver's license.**

2 A person who is of compulsory attendance age who does
3 not meet the requirements for an exception under section
4 299.2, who does not attend a public school, or an accredited
5 nonpublic school, who is not receiving competent private
6 instruction or independent private instruction in accordance
7 with the provisions of chapter 299A, and who does not attend
8 an alternative school, or adult education classes, shall not
9 receive an intermediate or full driver's license until age
10 eighteen.

11 Sec. 110. Section 299.6A, subsection 1, Code 2013, is
12 amended to read as follows:

13 1. In lieu of a criminal proceeding under section 299.6,
14 a county attorney may bring a civil action against a parent,
15 guardian, or legal or actual custodian of a child who is of
16 compulsory attendance age, has not completed educational
17 requirements, and is truant, if the parent, guardian, or legal
18 or actual custodian has failed to cause the child to attend a
19 public school, or an accredited nonpublic school, or placed
20 the child under competent private instruction or independent
21 private instruction in the manner provided in this chapter. If
22 the court finds that the parent, guardian, or legal or actual
23 custodian has failed to cause the child to attend as required
24 in this section, the court shall assess a civil penalty of not
25 less than one hundred but not more than one thousand dollars
26 for each violation established.

27 Sec. 111. Section 299.8, Code 2013, is amended to read as
28 follows:

29 **299.8 "Truant" defined.**

30 Any child of compulsory attendance age who fails to attend
31 school as provided in this chapter, or as required by the
32 school board's or school governing body's attendance policy,
33 or who fails to attend competent private instruction or
34 independent private instruction under chapter 299A, without
35 reasonable excuse for the absence, shall be deemed to be a

1 truant. A finding that a child is truant, however, shall not
2 by itself mean that the child is a child in need of assistance
3 within the meaning of chapter 232 and shall not be the sole
4 basis for a child in need of assistance petition.

5 Sec. 112. Section 299.11, unnumbered paragraph 1, Code
6 2013, is amended to read as follows:

7 The truancy officer may take into custody without warrant
8 any apparently truant child and place the child in the
9 charge of the school principal, or the principal's designee,
10 designated by the board of directors of the school district
11 in which the child resides, or in the charge of any nonpublic
12 school or any authority providing competent private instruction
13 or independent private instruction as defined in section
14 299A.1, designated by the parent, guardian, or legal or
15 actual custodian; but if it is other than a public school,
16 the instruction and maintenance of the child shall be without
17 expense to the school district. If a child is taken into
18 custody under this section, the truancy officer shall make
19 every reasonable attempt to immediately notify the parent,
20 guardian, or legal or actual custodian of the child's location.

21 Sec. 113. Section 299.12, subsection 2, Code 2013, is
22 amended to read as follows:

23 2. This section is not applicable to a child who is
24 receiving competent private instruction or independent private
25 instruction in accordance with the requirements of chapter
26 299A. If a child is not in compliance with the attendance
27 requirements established under section 299.1, and has not
28 completed educational requirements through the sixth grade,
29 and the school has used every means available to assure the
30 child does attend, the school truancy officer shall contact
31 the child's parent, guardian, or legal or actual custodian to
32 participate in an attendance cooperation meeting. The parties
33 to the attendance cooperation meeting may include the child
34 and shall include the child's parent, guardian, or legal or
35 actual custodian and the school truancy officer. The school

1 truancy officer contacting the participants in the attendance
2 cooperation meeting may invite other school officials, a
3 designee of the juvenile court, the county attorney or the
4 county attorney's designee, or other persons deemed appropriate
5 to participate in the attendance cooperation meeting.

6 Sec. 114. Section 299A.1, Code 2013, is amended to read as
7 follows:

8 **299A.1 Private Competent private instruction and independent**
9 **private instruction.**

10 1. The parent, guardian, or legal custodian of a child of
11 compulsory attendance age who places the child under private
12 instruction shall provide, unless otherwise exempted, competent
13 private instruction or independent private instruction in
14 accordance with this chapter. A parent, guardian, or legal
15 custodian of a child of compulsory attendance age who places
16 the child under private instruction which is not competent
17 private instruction or independent private instruction,
18 or otherwise fails to comply with the requirements of this
19 chapter, is subject to the provisions of sections 299.1 through
20 299.4 and the penalties provided in section 299.6.

21 2. For purposes of this chapter, ~~"competent~~ and chapter 299:

22 a. "Competent private instruction" means private instruction
23 provided on a daily basis for at least one hundred forty-eight
24 days during a school year, to be met by attendance for at
25 least thirty-seven days each school quarter, by or under the
26 supervision of a licensed practitioner in the manner provided
27 under section 299A.2, or other person under section 299A.3,
28 which results in the student making adequate progress.

29 ~~For purposes of this chapter and chapter 299, "private~~
30 ~~instruction"~~

31 b. "Independent private instruction" means instruction that
32 meets the following criteria:

33 (1) Is not accredited.

34 (2) Enrolls not more than four unrelated students.

35 (3) Does not charge tuition, fees, or other remuneration for

1 instruction.

2 (4) Provides private or religious-based instruction as its
3 primary purpose.

4 (5) Provides enrolled students with instruction in
5 mathematics, reading and language arts, science, and social
6 studies.

7 (6) Provides, upon written request from the superintendent
8 of the school district in which the independent private
9 instruction is provided, or from the director of the department
10 of education, a report identifying the primary instructor,
11 location, name of the authority responsible for the independent
12 private instruction, and the names of the students enrolled.

13 (7) Is not a nonpublic school and does not provide competent
14 private instruction as defined in this subsection.

15 (8) Is exempt from all state statutes and administrative
16 rules applicable to a school, a school board, or a school
17 district, except as otherwise provided in chapter 299 and this
18 chapter.

19 c. "Private instruction" means instruction using a plan and
20 a course of study in a setting other than a public or organized
21 accredited nonpublic school.

22 Sec. 115. Section 299A.11, Code 2013, is amended to read as
23 follows:

24 **299A.11 Student records confidential.**

25 Notwithstanding any provision of law or rule to the
26 contrary, personal information in records regarding a child
27 receiving competent private instruction or independent private
28 instruction pursuant to this chapter, which are maintained,
29 created, collected, or assembled by or for a state agency,
30 shall be kept confidential in the same manner as personal
31 information in student records maintained, created, collected,
32 or assembled by or for a school corporation or educational
33 institution in accordance with section 22.7, subsection 1.

34 Sec. 116. Section 321.178, subsection 1, paragraph c, Code
35 2013, is amended to read as follows:

1 c. Every public school district in Iowa shall offer
2 or make available to all students residing in the school
3 district, or Iowa students attending a nonpublic school or
4 receiving competent private instruction or independent private
5 instruction as defined in section 299A.1, in the district, an
6 approved course in driver education. The receiving district
7 shall be the school district responsible for making driver
8 education available to a student participating in open
9 enrollment under section 282.18. The courses may be offered
10 at sites other than at the public school, including nonpublic
11 school facilities within the public school districts. An
12 approved course offered during the summer months, on Saturdays,
13 after regular school hours during the regular terms or partly
14 in one term or summer vacation period and partly in the
15 succeeding term or summer vacation period, as the case may
16 be, shall satisfy the requirements of this section to the
17 same extent as an approved course offered during the regular
18 school hours of the school term. A student who successfully
19 completes and obtains certification in an approved course in
20 driver education or an approved course in motorcycle education
21 may, upon proof of such fact, be excused from any field test
22 which the student would otherwise be required to take in
23 demonstrating the student's ability to operate a motor vehicle.
24 A student shall not be excused from any field test if a parent,
25 guardian, or instructor requests that a test be administered.
26 A final field test prior to a student's completion of an
27 approved course shall be administered by a person qualified
28 as a classroom driver education instructor and certified to
29 provide street and highway driving instruction. A person
30 qualified as a classroom driver education instructor but not
31 certified to provide street and highway driving instruction
32 may administer the final field test if accompanied by another
33 person qualified to provide street and highway driving
34 instruction.

35

DIVISION XV

1 DRIVER EDUCATION BY TEACHING PARENT

2 Sec. 117. NEW SECTION. 321.178A Driver education —
3 teaching parent.

4 1. *Teaching parent.* As an alternative to the driver
5 education requirements under section 321.178, a teaching parent
6 may instruct a student in a driver education course that meets
7 the requirements of this section and provide evidence that the
8 requirements under this section have been met.

9 2. *Definitions.* For purposes of this section:

10 a. "*Approved course*" means driver education curriculum
11 approved by the department pursuant to rules adopted under
12 chapter 17A. An approved course shall, at a minimum, meet
13 the requirements of subsection 3 and be appropriate for
14 teaching-parent-directed driver education and related street or
15 highway instruction. Driver education materials that meet or
16 exceed standards established by the department for an approved
17 course in driver education for a public or private school shall
18 be approved unless otherwise determined by the department. The
19 list of approved courses shall be posted on the department's
20 internet site.

21 b. "*Student*" means a person between the ages of fourteen
22 and twenty-one years who is within the custody and control of
23 the teaching parent and who satisfies preliminary licensing
24 requirements of the department.

25 c. "*Teaching parent*" means a parent, guardian, or legal
26 custodian of a student who is currently providing competent
27 private instruction to the student pursuant to section
28 299A.2 or 299A.3 and who provided such instruction to the
29 student during the previous year; who has a valid driver's
30 license, other than a motorized bicycle license or a temporary
31 restricted license, that permits unaccompanied driving; and
32 who has maintained a clear driving record for the previous two
33 years. For purposes of this paragraph, "*clear driving record*"
34 means the individual has not been identified as a candidate
35 for suspension or revocation of a driver's license under the

1 habitual violator or habitual offender provisions of the
2 department's regulations; is not subject to a driver's license
3 suspension, revocation, denial, cancellation, disqualification,
4 or bar; and has no record of a conviction for a moving traffic
5 violation determined to be the cause of a motor vehicle
6 accident.

7 3. *Course of instruction.*

8 a. An approved course administered by a teaching parent
9 shall consist of but not be limited to the following:

10 (1) Thirty clock hours of classroom instruction.

11 (2) Forty hours of street or highway driving including
12 four hours of driving after sunset and before sunrise while
13 accompanied by the teaching parent.

14 (3) Four hours of classroom instruction concerning
15 substance abuse.

16 (4) A minimum of twenty minutes of instruction concerning
17 railroad crossing safety.

18 (5) Instruction relating to becoming an organ donor under
19 the revised uniform anatomical gift Act as provided in chapter
20 142C.

21 (6) Instruction providing an awareness about sharing the
22 road with bicycles and motorcycles.

23 b. The content of the course of instruction required under
24 this subsection shall be equivalent to that required under
25 section 321.178. However, reference and study materials,
26 physical classroom requirements, and extra vehicle safety
27 equipment required for instruction under section 321.178 shall
28 not be required for the course of instruction provided under
29 this section.

30 4. *Course completion and certification.* Upon application
31 by a student for an intermediate license, the teaching parent
32 shall provide evidence showing the student's completion
33 of an approved course and substantial compliance with the
34 requirements of subsection 3 by affidavit signed by the
35 teaching parent on a form to be provided by the department.

1 The evidence shall include all of the following:

2 *a.* Documentation that the instructor is a teaching parent as
3 defined in subsection 2.

4 *b.* Documentation that the student is receiving competent
5 private instruction under section 299A.2 or the name of
6 the school district within which the student is receiving
7 instruction under section 299A.3.

8 *c.* The name of the approved course completed by the student.

9 *d.* An affidavit attesting to satisfactory completion of
10 course work and street or highway driving instruction.

11 *e.* Copies of written tests completed by the student.

12 *f.* A statement of the number of classroom hours of
13 instruction.

14 *g.* A log of completed street or highway driving instruction
15 including the dates when the lessons were conducted, the
16 student's and the teaching parent's name and initials noted
17 next to each entry, notes on driving activities including a
18 list of driving deficiencies and improvements, and the duration
19 of the driving time for each session.

20 5. *Intermediate license.* Any student who successfully
21 completes an approved course as provided in this section,
22 passes a driving test to be administered by the department,
23 and is otherwise qualified under section 321.180B, subsection
24 2, shall be eligible for an intermediate license pursuant
25 to section 321.180B. Twenty of the forty hours of street
26 or highway driving instruction required under subsection 3,
27 paragraph "a", subparagraph (2), may be used to satisfy the
28 requirement of section 321.180B, subsection 2.

29 6. *Full license.* A student must comply with section
30 321.180B, subsection 4, to be eligible for a full driver's
31 license pursuant to section 321.180B.

32 Sec. 118. Section 321.180B, subsection 2, paragraph a, Code
33 2013, is amended to read as follows:

34 *a.* The department ~~may~~ shall issue an intermediate driver's
35 license to a person sixteen or seventeen years of age who

1 possesses an instruction permit issued under subsection 1 or
2 a comparable instruction permit issued by another state for a
3 minimum of six months immediately preceding application, and
4 who presents an affidavit signed by a parent, guardian, or
5 custodian on a form to be provided by the department that the
6 permittee has accumulated a total of twenty hours of street
7 or highway driving of which two hours were conducted after
8 sunset and before sunrise and the street or highway driving was
9 with the permittee's parent, guardian, custodian, instructor,
10 a person certified by the department, or a person at least
11 twenty-five years of age who had written permission from a
12 parent, guardian, or custodian to accompany the permittee, and
13 whose driving privileges have not been suspended, revoked,
14 or barred under this chapter or chapter 321J during, and who
15 has been accident and violation free continuously for, the
16 six-month period immediately preceding the application for an
17 intermediate license. An applicant for an intermediate license
18 must meet the requirements of section 321.186, including
19 satisfactory completion of driver education as required in
20 section 321.178 or 321.178A, and payment of the required
21 license fee before an intermediate license will be issued. A
22 person issued an intermediate license must limit the number of
23 passengers in the motor vehicle when the intermediate licensee
24 is operating the motor vehicle to the number of passenger
25 safety belts.